

Char Lytle
De non temerandis Ecclesiis,

CHVRCHES

NOT TO BE *H-15-28*
VIOLATED.

A Tract of the Rights and Respects ^{due}
unto CHVRCHES.

Written to a Gentleman, who having an
appropriate Parsonage, imployed the
Church to prophane uses, and left the Parishioners
uncertainly provided of Divine Service in a Parish
there adjoyning.

Written by
Sir HENRY SPELMAN Knight.

The fifth Edition.



OXFORD,
Printed by H. Hall. for Amos Curteyn 1676.

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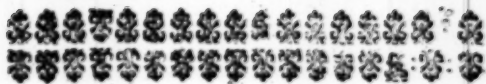
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A



To the Reader.

ALL the vessels of the Kings
Houle are not Gold, or Sil-
ver, or for uses of *Honour*,
Some be common stuffe, and for
mean services, yet profitable. Of
the first sort, I am sure this *Tract* is
not. Whether of the other or no, I
leave that to thy judgment. To deal
plainly, my self have no great opi-
nion of it; as finding my own im-
perfections, and writing it onely
upon a private occasion to a private
friend, without curious observation
of matter or method. But having al-

To the Reader.

so written a greater work (much of the same argument) and intending to publish , or suppress it , as I see cause; I thought it not unfit (upon some encouragement) to send this fourth (like a *Pinness* or *Post of Advice*) to make a discovery of the *Coast* , before I adventure my greater *Ship*. If I receive good advertisement, I shall grow the bolder. Howsoever take this, I pray thee, as it is: and let my zeale to the caule, excuse me in meddling with matters beyond my strength.

H. S.

A



A Letter shewing the occasion of this
Treatise, to the worshipful his most
loving Uncle, FR: SA: &c.

M*I good Uncle, the speeches that past
casually between us at our last par-
ting, have run often since in my mind; and
so (perhaps) have they done in yours. You
complained (as God would have it) that
you were much cross in the building you
were in hand with, upon a piece of Glebe of
your Appropriate Parsonage at Cong-
ham. I answered, that I thought God was
not pleased with it, insomuch as it tended
to the defrauding of the Church, adding
(amongst some other words) that I held it
utterly unlawful to keep Appropriate Par-
sonages from the Church, &c..*

*But our talk proceeding, I perceived,
that as God had alwaies his portion in your
heart, so in this, though it concerned your
profit, you seemed tractable. It much rejoy-
ced me, and therefore apprehending the oc-*

The occasion of this Treatise.

caſion, I will be bold to add a continuance to that happy motion, (ſo I truſt, both you and I ſhall have cauſe to terme it,) and beſides, to give you ſome tribute of the love and duty I long have ought you. Therefore (good Uncle) as your heart hath happily conceived theſe bleſſed Sparks, ſo in the name and bleſſing of God, cheriſh and inflame them. No doubt they are kindled from heaiven, like the fire of the Altar, and are ſent unto you from God himſelfe, to be a light to you in your old dayes, (when your bodily eyes fail you) to guid your feet into the way of peace, that is, the way and place from whence they came. So alwayes I pray for you, and reſt,

Westminſt.
Aug. 17. 1613.

Your loving and
faithful Nephew

HENRY SPELMAN.

A N



An account of the worth of this Treatise, taken out of the Epistle to Sr. HENRY SPELMAN'S History of *Tithes*.

IF any demand what success the labours of this worthy Knight found among the Gentlemen of Norfolk, and other places, where he lived long in very great esteem, and publicly employed alwaies by his Prince and Countrey in all the principal offices of dignitie and credit, it is very observable to alleadge some particular testimonies worthe to be recorded to posterity, and with all honour to their names, who were perswaded presently upon the reading of this Treatise, to restore and render back unto God what was due unto him.

And first the worthy Knight practised according to his own rule: for having an Impropriation in his estate, viz. Middleton in Norfolk, he took a course to dispose of it

it for the augmentation of the Vicarage, and also some addition to Congham, a small living near unto it: Himself never put up any of the rent, but disposed of it by the assistance of a reverend divine his neighbour Mr. Thorowgood, to whom he gave power to augment the Vicar's portion, which hath been performed carefully: and having a surplussage in his hands, he waits an opportunity to purchase the Appropriation of Congham, to be added to the Minister there, where himselfe is Lord and Patron.

Next Sr. Ralph Hare Knight, his ancient and worthy friend in that Countrey upon reading of this Book, offered to restore a good Parsonage, which onely he had in his estate, performing it presently, and procuring licence from the King; and also gave the perpetual Advowson to Saint Johns Colledge in Cambridge, that his heires might not afterwards revoke his grant: wherein he was a treble benefactor to the Church: and the Colledge hath deservedly honoured his memory with a Monument of thankfulness in their Library and also wrot a respective letter of acknowledgment to
this

this excellent Knight, to whom they knew some part of the thanks to be due, for his pious advice and direction.

Sir Roger Townsend, a religious and very learned Knight, of great estate in that Countrey, restored three Impropriations to the Church, besides many singular expressions of great respect to the Clergy, having had a great part of his education together with Sr. John Spelman, (a Gentleman of incomparable worth) eldest son to Sir. Henry, and by his directions both attained great perfection and abilities.

The like I have understood of others in that Countrey, but cannot certainly relate their names, and all particulars at this present, that Shire abounding with eminent Gentlemen of singular deserts, piety, and learning, besides other ornaments, as Cambden observeth of them.

In other parts diverse have been moved with his reasons to make like restitution, whereof I will mention some: as Sir William Doginton Knight of Hampshire, a very religious Gentleman, restored no lesse then six Impropriations out of his

his own estate, to the full value of six hundred pounds yearly and more.

Richard Knightly of Northamptonshire lately deceased, restored two Impropriations, Fansley and Preston being a Gentleman much addicted to works of piety, charity, and advancement of learning, and shewing great respect to the Clergy.

The right honourable Baptist Lord Hicks Viscount Cambden, besides many charitable works of great expense to Hospitals and Churches, as I find printed in a Catalogue of them in the Survey of London, restored and purchased many Impropriations.

1. He restored one in Pembrokshire, which cost 460^l.

2. One in Northumberland, which cost 760^l.

3. One in Durham, which cost 366^l.

4. Another in Dorsetshire, which cost 760^l.

Hee redeemed certain Chantry lands, which cost 240^l. And gave pensions to two Ministers, which cost 80^l. Besides Legacies

to several Ministers.— The particulars more fully recited in the Survey, [to which I referre, pag. 761.

Ms Ellen Gulston, Relict of Theodore Gulston Dr. of Physick, a very learned man, being possessed of the Improprate Parsonage of Bardwell in Suffolk, did first procure from the King leave to annex the same to the Vicarage, and to make it presentative, and having formerly the donation of the Vicarage, she gave them both thus annexed freely to St. Johns Colledge in Oxon: expressing many godly reasons in a pious letter of her grant, to advance the glory of God to her power, &c. Thus with devout prayers for a blessing from God upon those which should be chosen Rectors there, she commendeth the deeds and conveyances of the Parsonages for ever to the Colledge.

The Right honourable Lo: Scudamore; Viscount Slego, hath very piously restored much to some Vicarages in Herefordshire, whereof yet I cannot relate particulars fully.

Diverse Colledges in Oxon, having been
anciently

anciently possessed of Impropriations, have of late years taken a course to reserve a good portion of their Tithes corn from their Tenants, thereby to increase the Vicars maintenance: so that the best learned Divines are willing to accept the Livings, and yet the Colledge is not diminished in rents, but losseth only some part of their Fine, When the Tenants come to renew their Leases.

In particular, Christ-church in Oxon: hath been very careful in this kind. Likewise New Colledge, Magdalen Coll: and Queens Coll: have done the like upon their Impropropriations, and some others have made augmentations also.

Certain Bishops also have done the like, as Dr. Morton, whiles he was Bishop of Lichfield, did abate a good part of his Fine to increase the portion of the Minister in the Vicarage of Pitchley in Northamptonshire, belonging to his Bishopricks and so did his successor Dr. Wright, for the Vicarage of Torcester also in the same shire: which was very piously done, considering what great Lands and Manours were taken away from that Bishoprick among others, and some Impropropriations

()

propriations given in lieu of them.

And while Sir Henry Spelman lived, there came some unto him almost every Terme at London to consult with him, how they might legally restore and dispose of their Impropropriations to the benefit of the Church: to whom he gave advice as he was best able, according to their particular cases and inquiries; and there wanted not others, that thanked him for his book, promising that they would never purchase any such appropriate Parsonages to augment their Estates.



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To the READER.



Eader, this small Treatise was 30 years since written and published by my Father now deceased; his intent was to dissuade a profanation of Churches, and to perswade a restitution of Tithes and

Impropriations to the Church: wherein although he was not so happy as with Saint *Peter* at once to convert thousands, yet was he not with him so insuccesful, as to fish all night and catch nothing: for some were perswaded with what is written, nor can I say that others believed not; but rather think, that like the young man in the Gospel, they went heavy away, because they had too great possessions to restore.

Mischiefs are with more ease prevented then cured, men sooner dissuaded from a reception, then perswaded to a restitution. While therefore the great dissolution of *Bishopricks* and *Deaneries* is onely threatned not acted, I have caused a reimpresion of this Tract, hoping that (as at first) it will find some believers, and the rather,
B because

because written long since by one, no *Levite*, himself and children as his Ancestors meer Lay-men, not having nor hoping for any Ecclesiastical preferment, and therefore I am confident he took his motives solely from the dictates of Religion and conscience, himself practising what he would perswade thee. I know thy argument for retaining Impropropriations, Abbeyes, &c. is, the Law hath made them Lay-sees, thou didst legally buy them, and therefore may'st lawfully keep them.

I confesse our Statutes of Dissolution have changed the course of the Fee, from a politick succession to a natural descent; and unhappily put a Layman into the Priests place. But tell me if any Statute or humane Law doth, or can take away the Dedication or the Consecration of Abbeyes, Monasteries &c. discharge or annull the interest which God and his Church hath in them, and for which they were founded; as that hospitality, sick and feeble men may be maintained, Almes given, and other charitable deeds be done, and prayers be there said, as is declared in the Statute 35. *Edw. I.* * or can any Statute divert, and dispeuce with the many and heavy curses of the Church, upon the violators of Church liberties, to which the whole Kingdom hath not onely cried Amen; but by act of Parliament hath enjoyned the Bishops to curse the violators. If these be not re-

* 35. *Edw. I.* c. 1.

moved, then remain they still dedicated, still consecrated to God; and then seek and satisfie thy self, whether thou having the Appropriation and Tithes, but as the Abbot had them, and receiving the profit as the Abbot did, art not as the Abbot, tyed in Law and Conscience, or one of them to perform the duties: for that he was, appears by the opinion of all Judges * 18. *Eliz.* where it is said by the Judges, that none is capable of an appropriation (for so the Law calls them) but onely Bodies politick, not natural; and the reason is, because he that hath the Appropriation, is to be perpetual incumbent, which a natural body, that must dye, could not be. And that body politick (to have the rectory, the glebe, and tithes,) must be Spiritual, not Lay. For in that he is made Parson (saith the Book) he hath the cure of the souls of the Parishioners, and therefore must be spiritual, for by the same reason that a Patron cannot present a Layman to his Church, by the same reason a Lay-man cannot be an Appropriator: for they are both Parsons of the Church: the presented Parson for life, the Appropriator for ever. And therefore *Plowden*† saith, that the Appropriator, be he Abbot or Prior &c. is as fully incumbent Parson, as if he had been presented, instituted, and inducted: and, as Parson, shall have his Actions, and that he that is duely made Parson,

2 *Plow. fol. 496.* † & *fol. 500.*

is thereby made possessor of the Parsonage, for the spiritual office, attracts the possessions of the things belonging to the Office, & in that he is Parson, he receives the Tithes not as granted to him, but as things annexed to the office of a Parson. And Tithes are frequently in our Common Law termed Spiritual things, because annex'd to the spiritual Office. By these Books & resolutions of the Judges it is clear, that the Appropriator was the incumbent Parson, and had the cure of the souls of the Parishioners, & that upon the presentation of the^a Appropriator, or upon the dissolution of the Abbey, the Church became void, and presentative, as other Churches upon resignation, or death of the incumbent.

For appropriations (as thou now seest) were but Parsonages with cures of souls, annex'd & appropriated to a particular Abbey, or Religious house. For when their Fraternities became numerous, & their annual charge greater then their yearly revenue, providence to provide for their family made them think how to increase their income: and themselves being Patrons of many rich Parsonages, obtained severally (as occasion served) licence from the King, & consent from the Ordinary, to annex or appropriate that Parsonage to their Abbot, & his successors for ever, whereby they became perpetual incumbent Parsons, & anciently did

^a *Mon. fol. 33. 35.*

duely officiate the Cure by one of their Fraternity, until the Statute of ^a *Rich. 2.* prohibited the appropriating any Church, unless a Vicar be conveniently endowed by the discretion of the Ordinary to do divine Service, and keep hospitality: & the Statute of ^b *4. Hen. 4.* ordained, that no Religious, (as Monks & Fryers were) should be made Vicars to any Church appropriated, but Seculars (as our Ministers now be canonically instituted, and inducted.) Upon these Statutes it will concern the owners of Churches appropriated since 15. *Rich. 2.* to see, that out of the profits of the Church a convenient summe of money be yearly paid to the poor Parishioners, & a Vicar indowed as the Statute of the ^c 15. of *R. 2.* appoints, or else the Stat. ^d *4. H. 4.* avoids the appropriation, and then the Church becomes again presentative.

But some will object, that impropriate Churches with their oblations and Tithes (the fat of impropriations) are made Lay & Temporal, and, as Lay and Temporal things, disposible at the will of the owner; a doctrine which so neerly concerns the estates and livelihood of so many men in this kingdom, as I shall not averre the contrary, lest some *Demetrius* with his fellows tumult a-

^a 15. *Ric. 2. ca. 6.* ^b 4. *H. 4. ca. 12.* ^c 15. *Rich. 2. ca. 6.* ^d 4. *H. 4. ca. 12.*

about it; yet give me leave to offer the some opposite considerations, but leave them, and their result to thy judgment and conscience.

Consider first, that while God saith, that *ye have robbed me of my Tythes and offerings*, God claimes the Title and interest of them to be in him, not in the Priest nor in the Levite, they being but the *usu fructuarii*, God the owner.

Remember too, that our Statutes * have declared Tythes to be due to God and holy Church, and thy withdrawing thy Tythes a neglecting thy duty to Almighty God: and then consider, that if the Tythes be God's, it matters not whether his title be by divine right, (as our ^a Law and Lawyers, not to perss that with the resolution of Councils and opinions of Canonists, Fathers, and Divines, quoted by the Author, have taken them to be,) or by humane Constitution; for what Statute, what Law, can conclude God, or bind his right? Then weigh how the King (from whom thou claimest) had the Tythes thou hast, and to what intent he had them.

The Statute of 27 H. 8. gives the King the smaller Abbies and houses of Religion with their Ap-

* 27. H. 8. ca. 20. 32. H. 8. ca. 7.

^a Dier. 390. H. 8 fo. 43. Tythes are due by the law of God. *ex debito Co. 2. Winchester case. fo. 45. b.* tythes are due by divine right.

propriations and Tithes. To the greater, *H. 8.* makes his title by grant and surrender of the Abbots, Priors: which between the 27 and 31. *H. 8.* had been laboured by *Cromwell*; with some he prevailed by intreaty and good Annuities, with others by the Kings power and Sword: for the Abbots of ^a *Glassenbury*, ^b *Reading*, and ^c *Colchester*, whose innocency had made them regardlesse of Threats, and their piety abhorre rewards to betray their Churches, were therefore (saith *Godwin*) rendred the oath of ^d Supremacy, which they refusing, are, as enemies to the State, condemned and hanged; others terrified by their examples, leave all to the dispose of the King, who not resting on that title, procures the statute of 31. *H. 8.*

^a *R. Whiting.* ^b *Hugh Farringdon.* ^c *John Bech.* *Goodw.* 167.

^d There was no oath of Supremacy, until 1. *Eliz.* but these that denied *H. 8.* to be supreme head of the Church, were indicted upon the statute 26. *H. 8. c. 12.* since repealed, for that they *malitiosè optantes, desiderantes, & volentes depriuvare Dominum regem de dignitate, titulo, & nomine status sue regal.* Said, that the King was not supreme Head of the Church. And upon this were *Fisher* Bishop of *Rochester*, *Sir Thomas More*, *Exmer*, and divers others indicted, convicted, and executed, by virtue of a commission of *Oyer and Terminer*, directed to *Audley* Lord Chancellour, the Duke of *Saffolk*, and other Lords, and all the Judges, as appears by the Reports under the hand of *Sir John Spelman*, who was then a Judge of the Kings bench.

c. 13. which reciting (how truly do thou judge) the Grants, Surrenders, &c. to have been freely, voluntarily, and without compulsion, gives all the Religious houses, with their appurtenances and Tithes, to the King, his heirs, and Successors (as the Statute 27. of H. 8. did) in as large a manner, as the Abbot had the same, to dispose thereof at his will and pleasure (but) to the honour and pleasure of Almighty God: nor is there any one word either in this Statute of the 31. or that of 27. H. 8. to alter or change the primitive nature and use of Tithes, And therefore the Statute of the 32. H. 8. calls the withdrawing of thy Tithes whether propriate or impropriate, a neglecting of thy duty to Almighty God, thereby inferring, that the Tithes are still due to God.

Consider, that thy impropriate Tithes are yet even in Law called Ecclesiastick, and solely recoverable in the Ecclesiastical Courts, and that the Statute of 2. Ed. 6 gives one and the same remedy both for the presentative, and impropriate Tithe, and therefore must make both, or neither, Lay and Temporal.

Inquire too, whether the Impropiator hath the Cure of Souls the Abbot had, (especially where no Vicar is endowed,) if thou dost find he hath not, know who hath; for the sheep must not be without a shepherd, nor he without the milk of the flock.

Learn by what Statute, what Law, the Impro-

priator, if freed of the Cure, is yet tyed to repair the Chancell, as the Abbot did, and as the Abbot, (where no Vicar is endew'd) tyed to provide one to officiate divine Service and Sacraments. If impropriate Tithes be temporal things, why doth the impropriator in all Courts make his title in the Churches right? if lay and temporal, why wear they these Ecclesiastical Badges?

I cannot for my part think, that Statute, which declares Tithes to be *due to God and holy Church*, which directs (among other things, even impropriate Tithes) to be disposed to *the pleasure and honour of Almighty God*, which calls the withdrawing thy impropriate Tithes, *a neglecting of thy duty to Almighty God*. I cannot think, that these Statutes did either alter, or intended to alter the Ecclesiastick primitive nature and use of Tithes, and the rather, because I find that the Lawyers, who like'y had the penning of them, did hold Tithes due by divine right. and annex'd to the spiritual office of the Parson, and consequently not alterable. And then thou that justly condemnest this Parson, or that Vicar, for sometimes neglecting his duty, think with thy self what account will be exacted of thee, that receivest the same Salery and wages with the Parson and Vicar; yet dost totally neglect the Duty, and mispendest all the Church revenue upon thy own private occasions, while the Canon^a of the Apostles would

^a 39. Canon.

not permit the Bishop to challenge ought to himselfe, or to *dispose among his kindred or friends*, but to *administer them, Tanquam Deo insuente*, to the poor and Fatherlesse. And consonant to that is that in ^a *Candris* case in the 5th Report, where the Abbot might not *dispend the* ^b *free almes of the Abbey* (much lesse thou Tithes) *upon his secular friend, but in hospitality upon the poor, the Fatherlesse, the Stranger, &c.* and if so, then the Abbots were but Gods trustees, and as his Almners dispenced them to Gods Pentioners, the poor, the Fatherlesse and Widdow. And do thou inquire how thou ha'st them and doughtest to dispose them. For I feare that at the last and generall Audit; thou wilt find them great Cloggs to thy accompt, and in the *interim*, ruines to thy Family; yet I doubt not but thou wilt find probable reasons as well as Law for reteining of Impropriations and Abbies, which thou hast bought, or thy

a *Cock. 5. Report. fol. 11.* b Free almes were the rents and revenues, as appears by the Statutes. E. 1. 24. 14. E. 3. 17. c *Sir Edward Cook*, in his *Magna Charta.* d 649. in his *Commens* upon 2. Edw. 6. touching tithes, quotes the Text in *Deut. 14.* and the *Leuite* shall come, and the stranger, the fatherlesse, and widow, within thy Gates shall eat thereof. Here is (saith he) the right use whereto tithes should be employed; and surely had they been lay or temporall, then they, no more then other temporall things are ryed to Ecclesiastique uses. And he wrote long after our Statutes, and best knew the power and operation of them.

Friends

Friends left thee: yet read this ensuing Treatise, the reasons may perswade thee, if not, with me view the insuccesse of Sacrilegious persons.

But before thou canst judge of Sacrilegious persons, thou must know, what is Sacriledge, for such there is, else the Apostle erred, who, whilst thou layest, *that thou shalt not commit Idolatry, upbraids thee with, and committest thou Sacriledge.*

Sacriledge is the diversion of holy and Ecclesiastique things to prophane and secular use as *Simeon* and *Levi*, Theft and Sacriledge, be evill Brethren: *Theft* robs thy Neighbour, *Sacriledge* thy God, Tithes are so undoubtedly Gods inheritance, as though some have curiously disputed his title to them, as how due; yet none but the *Impropriator* denies his right to them, as not due: but *Tithes* and *Impropriations* are the subject of the ensuing *Discourse*, therefore I will offer thee my conceipt, how *Abbies* and *Monasteries* are consecrated to God, and ought not to be prophaned by secular use.

It is noted that in all *Ages*, in all *Religions*, the Temples of their Gods were accounted holy, and not to be prophaned by secular service: and this being so universally observed in severall *Ages*, in differing *Empires*, contrary *Religions*, it must needs be by the Command of the universall *Monarch*. God.

Reason taught a Heathen to conclude, *Quod*
ab

ab omnibus Gentibus observatum est, id non nisi à Deo sanctum est: Did God by the Law of Nations teach *Heathens* to keep the Temples of their false Gods as sacred; And doth he not by the same Law Command thee a Christian to preserve his owne holy and unviolated?

The *Devill*, that (to his greater Condemnation) best knows God, and is therefore his best Counterfeit, gets himselfe among the *Heathen Temples*, *Priests*, *Oblations*, and to these the *Attributes of holy, and sacred*; he knew them to belong to God and his Church, and therefore, to be like the most high, usurps them to him and his.

The *Devill* knew that the *Temple of God* which sanctifies the gold that is upon it, must needs be holy it selfe, and sanctifie the ground on which it stands, and therefore the *Devill* taught his Disciples that doctrine, *⁊ Licet ades sacra Claudii Caesaris collapsa sit, religio tamen occupat solum*. Profit could not tempt *Trajan* to permit publique baths to be made where once *Cesars* Temple stood, the holy ground must not be prophaned by secular employment. Yet thou a Christian dost not spare the very *Temple of God* himselfe. Shall it not (in this point) be easier at the last day for *Trajan*, then for thee? for if he, a *Heathen* thus esteemed a false God, that must come to be judged, how would

a. *Plin. Epist. l. 10. f. 615.*

he have revered, the true and everliving God (had he, as thou) known him? but this only argues, and doth not prove a Sanctity in Temples.

But God himselfe hath told us in ^a *Leviticus*, that *Lands and houses may be sanctified to the Lord*, but they are redeemable at the value estimated by the *Priest*, and a fifth part more. But God there tells us that things devoted are most holy to the Lord ^b, and not redeemable: the reason given by Divines is, because it was given with a Curse, and if that be the reason, do thou then peruse the *Charters of Foundations of Monasteries and Abbies*, and tell me if they be not devoted and most holy to the Lord. And then, if not redeemable, much lesse I think to be taken from the Church; without any satisfaction, or consent of the *Priests*.

The *Charters* were usually in these words, *Concessi Deo & Ecclesia &c. offero Deo &c. confirmavi Deo & Ecclesia*, and these *Grants* have in our *Common Law* been adjudged good and valid; our much revered *Magna Charta*, so oft confirmed by Parliament, beginneth with *Concessimus Deo quod Ecclesia Anglicana libera sit &c.* and ^c Sir *Edward Cook* in his *Comment* upon it, saith, *What is granted for God, is in Law deemed to be granted to God, what is granted for his honour, what*

^a *Levit.* 27. ^b *vers.* 28. ^c *Cook Magna Charta. fol. 2: quod datum Ecclesie datum Deo Lib. 6. f. 176. cap. 28.*

for maintenance of his service of his Religion, is granted to and for God, and that antiently these Grants were good in Law.

The Capituler of Charles the great saith, that the Dedications were on this sort, the Founder mentioning in a writing all he intended to give, and holding it over the Altar, spake thus to the Priest: *I here give unto God all things contained in this writing, for the remission of my sins &c. and for them, for whose good God will accept them, and by these to promote Gods service in sacrifice, in Lights, in Sustentation of the Clergy, the Poor, and in all things honourable to God, and profitable to his Church, and if any man shall take these away (which God forbid) let him for his Sacrilege give a most strict account to God, to whom they are now dedicated, now devoted.*

The Founders of Religious houses, in the conclusion of their Deed, following the example of * *Darius*, imprecate a most heavy Curse on them that violate or withdraw their gifts, † *Veniensibus contra hac & destruentibus ea occurrat Deus in gladio ira, & furoris, & vindicta, & maledictionis aeterna.*

* *Ezra* 6. 12. And the God that caused his name to dwell there, destroy all Kings and people that put to their hands to alter or destroy this house of God.

† *Apostolatus Benedictin. in Angl. Append. secund. f. 60. 13. E. 1. ca. 6.*

And

And here is to be remembred that *Abbies* and *Monasteries* had in them *Churches* and *Chappels* which had from the *Bishops* and *Clergy* a more particular dedication and consecration, then from their *Founders*, the *Bishop* using therein much *Almes*, many *Prayers*, and some decent *Ceremonies*, and after, even to the *Dissolution*, the *Sacraments*, were there constantly administred, and our *Ancestors* had so reverent an esteem of *Churches*, as following the example of *Christ*, would not permit *buying* and *selling* in the *Church-yard*, but by *Parliament* prohibited it.

Now consider, that if under the *Leviticall Law*, which in this was morall, and not taken away, the single act of *devoting thy house to the Lord*, conferred such a *Sanctitie*, such a *Holinesse* upon it, that it could never be redeemed, but at a fifth part more then the worth, and that valued by the *Priest*: shall the *Founders gift*, (which was the dedication in the *Leviticall Law*) the *servent Prayers* and *Intercessions* of the *Clergie* and *Church*, the long and frequent *administration* of *Service* and *Sacraments* under the *Gospel*, shall these adde nothing of *Sanctitie*, nothing of *Reverence* to it; But even where thy *Fathers* and *Grandfathers* for many hundreds of yeares reverently on their *knees* received *mystically* the *Body* and *Blood* of *Christ*, there thou (to avoid *superstition*) dost sacrilegiously feed thy *Oxe*, and thy *Ass*, and not permitting

ting *Christ*, as at first, to lye between them, but more uncivill then the *Jewish host*, turnest him out to make roome for them.

But thou wilt say these *Abbies*, these *Monasteries* were Founded, and dedicated by *Idolatrous Persons*, Consecrated by *Popish Bishops*, and for *superstitious uses*, and therefore not sacred, nor acceptable to God.

For the unworthinesse of their persons, and their act, consider *Corah* and his company, who, as God himselfe saith, were *sinners* against their own *Soules*: nor canst thou thinke the *sin* small, where thou findest their *punishment* so great; for God smites them not as *Uzziah* with *leprosie*, nor with *withered hands* as *Ieroboam*, nor with *death* like *Uzza*, but to make their *punishment* answerable with their *offence*, God doth a new thing in *Israel*, fire from above consumes these, and the earth from beneath; swallows up those men; and although *Moses* be commanded to scatter the fire (for *Civil Magistrates* may quench the fire of *Rebellion*) yet *Aaron* the *Ecclesiastique* hand must first gather up the *Censers*, for they were *holy*, and God gives there the reason why *holy*, for saith he, *they offered them to the Lord*. And if so bad men, by a single, and so bad an act, did consecrate their *Censers* to the Lord, needs must the *Pious gift* and *charity* of the *Founders*, with the often *Prayers* and *Sacraments* of the *Church* dayly used

used for many yeares, needs must they *sanctifie* the *Church* or *Chappel* where used:

While God spake once from the *a Bush* to *Moses*, he Commands him *not to draw nigh*, and yet at that distance bids him *put off his shoes*, for the *ground was holy*. And *b Joshua must be barefoot while he spake with the Captaine of the Lords Host*, because the *ground was holy*.

Consider then, that if the places be *holy*, where God spake once to *Moses*, once to the *Captaine of the Lords Host*, needs must the *Church* or *Chappel* be *holy*, where God hath so often spoken to thy *Fathers* in *Sacraments* and *Sermons*, and where they to him so often in *Prayer* and *Thanksgiving*.

If publique *holy actions* do not *sanctifie* the place where acted, *David* (though he would not offer to God that which cost him nought) needed not to buy that which he did not offer; the *Threshing-floore* of *Araugna*, it had beene sufficient for *David* to pay for the *Oxen* and *threshing instruments*, that must be burnt, not restored: The *floore* remained, but not for *Araugna's* use, (saith a *Learned Divine*) for by *David's* Sacrifice, the *floore* was *devoted and sanctified to the Lord*, and might not returne to worldly imployment, which *David* knew, and therefore bought it:

But thou wilt say, these are *Dedications & Sanctifications* under the *Law*, not under the *Gospel*, 'Tis true

a Exod: 3. *b* Joshua 5. 15.

these were *Sanctions* under the *Law*; and were *Morall*, not *Ceremoniall*, and therefore remain under the *Gospel*. Christ that sends thee from the *Altar*, to be reconciled to thy *Brother*, commands thee to leave thy *Guise* behind thee at the *Altar*, and the reason given by *Divines* is, *because thou hast devoted it to the Lord*, the *guise* remains *holy*, and might not returne to the world; for though thy person be not accepted, yet thy *guise* by thy *devoting*, is *holy to the Lord*, as were the *Censers*, in the day of *Corah*.

Thou seest that *Christ*, who would not *Peter* should not strike to rescue him, his Master from violence, yet he himself strikes to free the *Temple* from *Sacriledge*; and thou canst not thinke that *Christ* stroke this day to preserve, what he would abolish the next day, the *Sanction* of the *Temple*.

Do but consider that of *Ananias & Saphirah*, & thou wilt conclude, that the *devoting* any thing to God, is under the *Gospel*, a *sanctifying* it to the *Lord*; and the withdrawing it, must then be *Sacriledge*, which was *Ananias* sin, agreed by all *Divines*; and *Junius* in his notes upon it saith, *prædicti cōsecrassēt Ecclesiā*, they had *Consecrated* it to the *Lord*; to conclude, thou canst not *violate* or irreverently use a *Church* or *Temple*, but thou must disrationate *St Paul's* argument, who dissuades the pollution of thy *Body*, because it is the *Temple of the holy Ghost*.

Thou mayst observe our *Law* bookes to have
held

held *Tithes* due by *divine right*; our *Parliaments* in their *Statutes* too, have acknowledged *Tithes* due to God and *holy Church*, and this both before, and after the *Statutes of Dissolutions*; and that at this day the Law reckons *Tithes* of Improprate, as well of presentative *Churches*, to be Ecclesiastique things, and if this will not perswade a restitution of such as thou hast, yet let it dissuade a reception of more: For I know thou wouldst not buy a Title licigious between thee, and thy neighbour; and wilt thou that, which (at best) is questionable between thee and thy God, that must judge the Title, and in a Court where thou canst have no advocate but his Son, whom thou wouldst disinherite.

But the destruction of *Corah* perswades more with the *Israelites*, then the lost voice of *Moses*; and such *Oratory* may take thee, *Hell* hath frighted some to *Heaven*; view then the insuccesse of sacrilegious persons in all ages, that will prevaile with thee: for had *Corah* and his complices been visited after the visitation of other men, thou and I, nay perhaps the whole Congregation of *Israel*, would have believed what they said is truth, it sounded so like reason; and approved what they did as pious, it looked so like *Religion*: but their end otherwise inform'd them; and better instructed us: I will not trouble thee with presidents of forraign Nations, as *Bohemia*, the *Palatinat*, and

Germany, where under colour of *Reformation*, the ruine of *Monasteries*, and *Religious Houses*. mightily enriched for the present both publique and private *Coffers*, and now the *Ravens War* hath both exhausted the *wealth*, and almost *unpeopled the Country*; *hoc omnia Deus avertat*. I will therefore tye my self to our own Country, and stori, unhappily plentiful in miserable examples.

I will begin with *William the Conqueror*; In the first year of his raigh, he fires by his *Normaines*, ^a *Peters Church in York*. In the 4th, he rifies the ^b *Monasteries*, & about the ^c 18th year of his reign destroyed 36 *Mother Churches in Hampshire*, to make his *New-Forrest*; takes all their *Plate*, all their *Treasure*, even the *Chalices*. In the ^d 13th year of his reign, the Son of his own Loines (*Robert of Normandy*) Rebels against him, and in *Battell* beats his *Father* from his Horse, wounds his *Person*, and (which is worse) his *Honour*. About the 19th year, *Richard* his second (but first beloved) Son, sporting in his *Fathers New-Forrest*, is there strangely killed by the goaring of a Stagge, saith ^e *Speed*, ^f *Cambden* by a pestilent Aire. In the 20th of his reigne, he burnt the City of *g Mannis*, and Church of *S. Maries*, with two *Ancherites*; and coming too nigh the flame, the heat of the fire

^a Holl. f. 7. ^b Holl. f. 8. ^c Speed. f. 429. *Cambd: Brit.* 259.
^d Holl. f. 12. *Speed.* 428. *Matth. Par.* fol. 10. ^e *Speed.* 429.
^f *Camb.* 259. ^g Holl. 14. *Speed.* 431. *Matth. Par.* f. 13.

and his Armes attract a disease: and his Horse leaping with him, breaks his *Riders* belly, whereof he dyes; and his *Body* (forsaken of his Nobles and Servants) lyes three dayes neglected, after by the courtesie of a Country Gentleman, his *Corps* is brought to *St^a Stephens Church* in *Cane in Normandy*; but in the passage the *Town fires*, and his bearers leave him, and run to quench that; so that dead, he goes not quietly to his *Grave*; whether brought at last, is there denyed *Buriall*, by one who claimed the ground as his inheritance, forced from him by the *Duke*; all *Ceremonies* stay untill a composition was made, and an *Annuall* rent (saith ^b *Daniell*) paid for his *Grave*, in which before he could be laid, his body swelling, burst to the great annoyance of the Company, he is offensive dead and living: afterwards the *Town* being taken by an *Enemy*, his *Bones*, as unworthy to be inshrined in a Church, are digged up, and scattered like *Chaffe* before the wind; death denies him rest.

His *c* Grand-Child *Henry* the son of *Robert*, hunting in the *New Forrest*, is struck through the *Jawes* with a bough of a *Tree*, and like *Abso- lom*, found hanging in the thicket of an *Oake*. His Grandchild *William* (second son to *Robert Duke of Normandy*) was made Earle of *Flanders*, and in a Warre against his Uncle *Henry* the first,

^a *Speed*, 434. ^b *Daniel*, 48. ^c *Speed*, 429

received a small ^a wound in his hand, and thereof dyed the last of the Conquerors Grandchildren by his eldest Son.

Robert of Normandy, the Conquerors eldest son, disinherited by his *Father*, is taken ^b prisoner by his brother *Henry* the first, who puts out both his *Eyes*, and after 26 yeares imprisonment, *Robert* ^c dyes starved in the Goale at Cardasse.

William Rufus succeeded his Father in his *Crown* and *Curse*, in his first year his Nobles ^d Rebel, in his sixth, a great *famine* rageth, and such a *mortality*, as the *quick* can scarce bury the *dead*. About the ^e 10th year of his Reign, his *Treasurie* is stored by sale of *Chalices* and *Church-Jewels*. In his 13th yeare, while Sir *Walter Tyrrell*, shootes at a *Deere* in the *New-Forest*, he kills the *King*, (in the same place where a Church stood) who dyes (*beast like*) not speaking a word.

Mills saith, the *Arrow* glanced from the *Deere*, *Speed*, and *Matthew Paris*, from a *Tree*, and killed the *King*: but both agree his death to be (as his *Fathers*) by accident. He dead, his follow-

a *Speed*. 461. *Mat. Par.* 71. *Miller* lat: 77. b *Stow*. c *Mat. Par.* 73. *Speed*. 467. d *Speed*. 440. *Mat. Par.* 14. e *Holl*. 12. *Speed*. 441. f *Speed* 448. *Mat. Par.* 51. *Cervus magnus cum ante eu m (Regem) transiret, ait Rex cuidam militi. Wal. Tirvel. trabe Diabol. Exiit ergo telum volatile, & obstante arbore in obliquum reflexum faciens per medium cordis sancitavit, qui subito mortuus corruit.*

ers (as did his *Fathers*) leave his *body* and fled: his *Funerals* are as his *Fathers* interrupted; for his *Corps* were laid in a *Collier's cart* drawn by one *silly lean Beast*, (saith the *Book*,) in his passage the *Cart brake* in foul and filthy wayes, leaving his *body* a *miserable Spectacle*, pittisfullie goared, and filthy bemired: so, as his *Father*, he passeth not quietly to his *Grave*; yet at last he is brought bleeding to *Winchester*, and there buried unlamented. *Speed* saith, his ^b bones were after taken up, and laid in a *Coffer* with *Canutes* his bones; but there they rest not; for in *December 1642. Winchester* being entred by the *Parliament forces*, the *Organs, Windows, and Chests*, wherein the bones of many our *ancient Kings* were preserved, were by the *fury* of the *Souldiers broken*, and among others his, and as his *Fathers*, scattered upon the face of the *Earth*, as not worthy *burial*. And this was the third of the *Conquerer's* issue that was murdered in the *New Forrest*; where the *Dogs* licked the blood of *Naboth*, there they must lick the blood of *Ahab*; where the *Sacriledge* was committed, must be the place of the punishment.

Hugh Earl of Shrewsbury 11th (*Will. Rufus* commanding against the *Welchmen* in *Anglesey*,) kenneled his *Dogs* in the *Church* of *S. Frydance*, where in the morning they were found madd: the *Earl* shortly after fighting with the *enemy*, was

a *Mat. Par. ib. Speed, 449.* b *Speed. ibid.*

with an *Arrow* shot^a dead in the eye, the rest of his body being strangely armed.

Henry the first, the *Conquerors* fourth son, is his brothers *Successor*: he had several *Children*, whereof his eldest *William*, with his brother *Richard*, and Sister *Mary*, in a calme day are ^b drowned by the *Englifo shore*; himself eating *Lampreis* dies on a *surfet*, and being opened, the *stinck* of his body and *brains** poyson his *Physicians*; one other of his *Daughters* mourns her *virginity* in a *Nunnery*, and dies *chilaleffe*, and in the next *Generation* is his name forgot: *Plantaginet* takes the *Crown*.

It is observable, that the *Conqueror*, all his *Sons*, and all their sons, dyed *untimely deaths*, (unlesse thou reckonest the *Lamprey surfet* of *H. 2^d*. to be natural,) and what the ^c Author notes of *Nabuc.* and *H. 8.* is also true of *William* the *Conqueror*, for in the 68. after his *destroying St. Peter's Church* at *York*, which was in his second year, his *name* is extinct, and his *Kingdom* is devolved to another Nation, ^d *Plantaginet* takes his *Crown*: and upon search (I fear) thou shalt find very few *Families* (among the many thousands) in *England*, who enjoy their *Sacrilegious* possessions of *Abbies* and *Impropriations* beyond the 68 year, and very ma-

^a Holl. 23. ^b M. Pa f. 69. Speed. 459. Holl. 41. * M. Par. 73. Speed. 467. ^c Fol. 20. in margine. ^d Speed. f. 46. that of the *Norman* time held 69 years.

ny that hold them not half the time, and none almost but with some notable *misfortune*.

I cannot omit the Sacriledg and punishment of King *John*, who in the 17th year of his Reign, among other Churches, rifled the Abbies of a *Peterborough* and *Croyland*; and after attempts to carry his sacrilegious wealth from *Lynne* to *Lincoln*, but passing the *Washes* the *Earth* in the midst of the *waters* opens her mouth (as for *Korah* and his company,) and at once swallows up both *Carts*, *Carriage*, and *Horses*, all his *Treasure*, all his *Regalities*, all his *Churchspoil*, and all the *Church-spoilers*, not one^b escapes to bring the King word; the King himself passes the *Wash* at another place, and lodges that night in *Swinsteed Abbey*, where the *newes* and *sickness* (whereof he dyed) together met him; some say he was poysoned by a *Monck* of *Swinsteed*.

William ^c *Marshal* Earl of *Pembroke*, the great Protector both of King and Kingdoms, having in the *Irish warr* forceably taken from the Bishop of *Furnes* two Mannors belonging to his Church, was by him much solicited to restore them; but the Earl refusing, was by the Bishop excommunicated, and so dying, was buried in the *Temple Church* at *London*. The Bishop sues to the King

^a Holl. 194. Par. f. 287. h Matt. Par. fo. 287. nec pes unus evasit, qui regi casum nuntiaret. c Math. Par. fo. 687.

to return the lands, the King requires the Bishop to absolve the Earl. and both King and Bishop go to the Earls grave, where the Bishop in the Kings presence used these words: *Oh William, which liest here snared in the bonds of Excommunication, if what thou hast injuriously taken from my Church, be with competent satisfaction restored, either by the King, thy heirs, or friend, I then absolve thee; otherwise, I ratifie my sentence, Ut tuus semper peccatis involutus in inferno maneat condemnatus.*

The King blames the Bishops rigour, and persuades the Sons to a restitution: but the Eldest William answered, *He did not believe his Fathers to have got them unjustly, because possessions got in war, becomes a lawful inheritance. and therefore if the dotting old Bishop hath judged falsely, upon his own head be the curse: my Father dyed, seized of them, and I lawfullie inherit them, nor will I lessen my Estate.*

Which the Bishop hearing, was more grieved at the Son's contumacy, then the Fathers injury, and going to the King, told him, *Sir, what I have said, stands immutable; the punishment of malefactors is from the Lord: and the curse written in the Psalmes will fall heavie upon Earl William, in the next generation shall his name be forgot, and his sons shall not share the blessing of increase and multiply, and some of them shall die miserable deaths, and the inheritance of all be dispersed and scattered, and all this my Lord, O King, you shall see even in your daies.*

With

With what spirit the *Bishop* spake it, do thou judge; for in the space of 25 years, all the five Sons of the *Earl* successively, according to their Birth, inherit his *Earldom*, and *Lands*, and all dye childlesse, the name and Family is extinct, and the *Lands* scattered and dispersed; and that nothing might sail of what the *Bishop* foretold, ^a *Richard* his second son is sore wounded, and taken prisoner in *Ireland*, and there dyes of his hurts.

^b *Gilbert* the third son justing at *Hertsford* breaks the reins of his *Bridle*, and falling from his *Horse*, one foot hangs in the stirrop, and he thereby dragged about the field, till rent and torn, and so by a miserable death satisfied the curse.

But these examples are at too great a distance, and not to be discerned, but through the perspective of *Antient History*, I will therefore come nigher and view *Cardinal Woolsey*, who from a mean and obscure root grew to overshadow all the subjects of *England*, eminent for Wit as Learning, great in the esteem, and favour of his *Prince*, laden with home and foreign dignities, full of wealth as years: in brief, he was while free from sacrilege, the great and successful Counsellor of his *Prince*, and indeed the *Catalogue* of humane

^a *Matth. Par.* 400. & 403. ^b *Matth. Par.* fo. 565. *Anno Dom.* 1141.

blessings: but about the 17th year of *Henry the 8th Woolsey* by consent and licence of the *King* and *Pope Clement* the 7th a dissolves forty small *Monasteries* in *England*, to erect two *Colledges*, the one in *Oxford*, the other in *Ipswich*: Thou and I may think this a work of *Piety*, to destroy the poor *Idolatrous* Cells of *lazier* and *ignorant Moncks*, to erect *Statelie Cottages* for learned and industrious *Divines*; this God must accept, and prosper both the *Alt* and the *Altar*, No, thou art deceived, he that would not that thou shouldest doe evil, that good may come thereof, will not accept an *Offering* commenced by *sacriledge*, in the ruine of 40 *Religious Houses*: *Woolsey* laies the foundation of his *Colledges*, but never sets up their *gates*.

About three years after, the *King* possesseth his *Pallace* at ^b *Wistminster*, [*Whitehall*,] the *Great Seal* is taken from him, his great *wealth* leised, and himself confined to a poor house at *Affure*, where he remained a time (saith ^c *Goodwin*) without necessities, driven to borrow *furniture* for his house, money for his *expences*; so as in his *speech* to the *Judges* he complained, that he was driven as it were to beg his bread from door to door, 21 *Hen. 8.* he is convicted in a *Premunire*, all his *Lands* and

a *Holl. f. 891. Sow. Good. f. 67.* b *Good. f. 104 Holl. 909.* c *Good. f. 106.*

Estate seized by the ^a King: his Colledge at *Ipswich* destroyed before built, that at *Oxford* receives some indowment, and a new name from the King, but is never to be finished. In the 22. *H. 8.* at his *Castle* at *Caywood*, he is by the Earl of ^b *Northumberland* arrested of *High Treason*, and sent towards *London*; at *Leicester* the Lieutenant of the *Tower* met him, at whose sight he was much affrighted, and to prevent a publick and ignominious death which he feared, he gave himself (saith ^c *Martin*) a purge, a *Venenum receptum*, say they that write the lives of the *Popes* and *Cardinals*) whereof he dyed, and was obscurely buried in *Leicester Abbey*, without other memory then his *Sacrilege*.

The *Cardinal* in dissolving his forty *Monasteries* had used the help of five men (besides *Cromwell*,) whereof two afterwards fought a *Duel*, in which one is slain, and the survivor hanged for the *murder*, so each dyed guilty of his own and the others blood: a third becomes *Judas* like his own executioner; for throwing himself into a well he is there drowned: the fourth, a great rich man (to whom nothing is so terrible as *Poverty*) lives, to b. g his bread from door to door: the fifth a *Bishop*

^a *Holl.* 909. *Good.* fol. 67 & 108. ^b *Holl.* 915.
^c *Mart.* 304. 306. ^d *Hist. Post. Rom. & Card.* f. 1408.
^e *Good.* f. 67.

cruelly murdered in Ireland, by a *Thomas Fitz Garret*, son to the Earle of *Kildare*.

I might here remember how *Pope Clement* the 7th after his voluntary consent to destroy *poore Religious Houses*, is himself forced out of his, *statelily Pallace at Rome*, and being *besieged at his Castle of St. Angelo*, is there constrained to *eate Asses flesh*, and taking such conditions as a *Victorious Enemy* would give, is driven to *plunder his own Church* to pay his *Enemies Army*, and at last *dies wretchedly of a miserable disease*: but this is *Forrain*, and I tyed to home examples.

Thomas Lord Audley, received the first fruit of *H. 8.* his *Sacriledge*, for in the 24th year of his *Reign*, the *King* dissolved (by what means I find not) the *Priory of Christ-Church in London*, and gave saith *c Stow*, the *Church Plate*, and *Lands* to *Sir Thomas Audley*, who, upon the dissolution of *Monasteries*, got that of *S. James*, in little *Walden* in *Essex*, and made it both his *Seat*, and *Place* of his *Barony*; & after, left it to *Margaret* his *Daughter* and *Heire*, first married to *Henry Dudley*, Son to the *Duke of Northumberland*, slain at *St. Quintynes*, and dyed without *Issue*: and after, she was second *Wife* to *Thomas Duke of Norfolk*, who had *Issue*, *Thomas Howard*, created *Lord Walden*, being his *Grandfathers Title*, and to credit

^a *Stow: abridg. f. 498. b. 5. cc. 50. 996, Hist. Pont: Rom. & Card. c. 101. 24. H. 8.*

his *Mother's Inheritance* upon the *Scite* of the *Monastery* he began a goodly ^a *Structure*, (but attended with the fate of *sacrilegious foundations*) for that much impaires him, and he never perfects that: he met also with other *misfortunes*, which betiding so Noble a *Familie*, and yet not published to the *World*, are fitter for thy *inquirie* then my *Penne*.

Cardinall Woolsey being dead, his servant *Cromwell* succeeds him in his *Court*, *Favour* and *Fate*, as their *births* were alike *obscure*, their *rise* alike *eminent*, so alike *miserable* were their *downfall*: wonder not at the first part of their *fortune*, but contemplate the later, *Policie* in *Kings* prefers *able men* to high *places* and *honour*; for *authoritie*, *power* and *esteem* of the *Persons*, advantages their *actions*, of which wise *Princes* reap the *Harvest*, the *Actors* get but *gleanings*: while the *King* makes *Cromwell* a *Baron*, his *Secretary*, *Lord Privy Seale*, his *Viceregent* in *Ecclesiasticks*, he doth but facilitate his owne great worke of dissolving ^b *Monasteries*, a businesse wherein *Cromwell* was too much versed, and unhappily too successfull. Report spake him a great *Stickler* for the *Protestant Religion*, and that although the *Gospel* had lost a *Pillar* in *Queene Anne Bullen*, yet was another raised in ^c *Cromwell*, for he had caused the *Bible*

a *Audley Ince*. b *Speed*. 10. 6. c *Speed*. 1036. 92.

to be read, the Creed, Paternoster, and Ten Commandments, to be learned in English, & expounded in every a Church: some thought that Cromwell hoped to bury Popery in the ruines of the Abbies, and thereby give the better growth to the more pure Protestant Religion; how pious soever his intents were in reforming Religion, yet was not the manner of effecting them (it seems) acceptable to Heaven; for by Parliament in the 31 of H. 8. he perfected his Dissolutions, and in April, in the 32 of H. 8. he is made b Earle of Essex, and Lord Great Chamberlaine of England, high in the Kings favour and esteeme, yet instantly, while sitting at the Council-Table, he is suddainly apprehended and sent to the Tower, whence he comes not forth, untill to his c Execution, for in Parliament he is presently accused of Treason and Herefie, and unheard, is attainted. Some do observe that he d procured that

a Good f. 146. b Hot. 959. c Goodw. f. 74. d Sir Edward Cooke, in his Jurisdiction of Courts; f. 37. saith, that Sir Tho. Gaudy, then a grave Judge of the Kings Bench; after told him, that Cromwell was commanded to attend the Chiefe Justices, to know whether a man that was forth coming (as being in prison) might be attained of high Treason by Parliament, and not called to answer. The Judges answered, It was a dangerous question, and they thought a Parliament would never do it. But being by the expresse commandement of the King, and they pressed by the said Earle (Cromwell Earle of Essex) to answer directly, said, That if he was attained by Parliament, it could not be questioned whether the Party was called to answer or not; but the Party against whom this was intended. (said he) was never questioned, but that the first man that suffered by that proceeding, was the said Cromwell himselfe. Law

Law of *Attaining by Parliament*, without hearing the *Partie* and that *himselfe* was the *Wit*, that by that *Law* died *unheard*, for in *July* following he was thereupon *beheaded*.

Next consider, that King *Henry* the eighth, who ingrossed *Sacriledge*; and retailed it to *Posteritis*, what the *Pope* permitted *Wolsey* (saith *Cambden*) *H 8*: with the assent of his *Parliament*, permits *himselfe*; the first to catch the *Pope*, pretends *charitie*, and *good workes* (*Colledges* shall be built) the later to win the *Lairy* in *Parliament* was offered with the *revenue* of *religious houses* to maintain 40^a *Earles* 60. *Barons*, 300 *Knights*, 40000, *Souldiers*, and for ever ease the *Subject* of *Taxes*, and *Subsidies*, both obtained their desires in dissolving; neither perform the ends promised. *H 8* had first furthered *Wolsey* in his dissolution, and thereby found the way to ruine all the rest.

In the *b 27th* year of his *Reign* by *Parliament*, he dissolves the *lesser houses*, and in the *c 3rd* the *great ones*, in the *d 3^{7th}* all the *Colledges*, *Hospitals*, and *Free-Chappels*, except some few, and *possesseth* all their *lands*, *goods*, and *treasure*. For the first halfe of his *Reigne* (while free from *Sacriledge*) he was *honoured* of his *Allies* abroad, *loved* of his

M. Hoves his *Preface* to *Somes Annals*. *Sir Ed. Coles* Jurisdiction of *Courts*. *f. 44.* *b Vid.* the severall *Acts*. 27. *H. 8.* 31. *c H. 8.* *d 37. H. 8. c. 4.*

D

subjects

subjects at home, successfull in his *actions*, and
 at peace, as it were, with God and *Man*; but af-
 ter his *Sacriledge* (as in disfavour with both) his
Subjects Rebells, first in *Suffolke*, after in *Lincolne*,
Somerset, *Yorkshire*, and the *Northerne* parts, as
 also in *Ireland*, such dearth of *Bread* and *Corne*
 in *England* (the *Granarie of Christendome*)
 that many dye *starved*, which hath not been since
 the 40. of *H.* 3. And now (like *Saul* forsaken
 of God) he falls from one sinne to another.
 Queen *Catharine*) the Wife of his *Bosome* for
 20 yeares) must now be put away, the *mar-*
riage declared voyd, and he desirous of *Sonnes*,
 rather then *Pillars* to beare his name, marries
 the Lady *a Anne Bullen*, and by her had the Lady
Elizabeth, and in the 27th of his *Reign* a sonne
 born dead (to his great affliction) the 19th of *May*
 1536. The 28th of his *Reigne* she is beheaded, and
 the next day he ^b marries the Lady *Jane Seymore*,
 who being with Child by him, she (nature unwil-
 ling to give birth to the *Sonne* of such a *Father*)
 wants strength to bring forth: the *Father* Com-
 mands ^c her incision, and the *Mother* the 12 of
Octob: dyes to give a short life to her sonne, and
 the sixt of *January* in the 31th yeare, the King
 weds the Lady *Ann* ^d of *Cleve*, and in *July* after is
 divorced: and in *August* following he marries

^a Speed. f. 1040 ^b Speed. 1039. ^c Speed. 104. ^d Speed. 1039.

the Lady Katharine Howard,^a and in December, in the 33. of his Reign, she is attainted, and dies on the Block: and in July, in the 35th of his Reign, he marries the Lady Katharine Parre.* Here's Wives enough to have peopled another Canaan, had he had Jacobs blessing; but his three last are childlesse, and the Children of the two first are by Statute declared ^b illegitimate, and not inheritable to the Crown.

But himself growing aged and infirme, hopeles of more Children, and not willing to venture the support of his Crown and Familie upon a single, and so weak a prop, as was his Son Prince Edward; in the c 35. year of his Reign he entailes the Crown upon his Children, after his death; they all successively sway his Scepter, and all dye childlesse, and his Family is extinct, and like Herestratus, his name not mentioned, but with his Crimes. His Crown happily descends to the issue of his eldest Sister, and a Ferraign Nation (like Cyrus his) fills his Throne.

Among the many great and active men aiding H.8. in his dissolution of Monasteries, and receiving great reward out of his Church-spoile, Charl. a Brandon, Duke of Suffolk was the chief: he had four wives; his first the daughter of Nevil, Mar-

^a Speed, 1039. * *Ibid.* b 28. H.8.c.7. c 35. H. 8. c. 1.

quesse Mounteagle, who dyed without issue. By his second wife he had one Daughter, married to Stanly, Lord Mountague, but dyed without issue. His third wife was Mary Queen Dowager of France, and sister to Henry the 8th by her he had one Son, Henry and two Daughters, Frances and Elianor. His son was created Earl of Lincoln, but dyed a Child: his Daughter Frances married Gray, Marquesse Dorset, and after Duke of Suffolk, who had one son Henry, who dyed young; Jane Gray his eldest Daughter married to ^a Guildford Dudley, and was with him beheaded about 5. Mary. Katharine his second Daughter was married to Edward Lord Seymore, eldest son to the Duke of Somerset; Mary his third daughter married to Martin Keyes, and dyed without issue. ^b Ellenor, second Daughter to Charles Brandon, married to Clifford Earle of Cumberland, a gallant Family, lately extinct.

The Queen Dowager dying, Charles Brandon married the Daughter and Heir of the Lord Willoughby of Eresby, who enriched him with two sons, Henry and Charles: but the Duke dying about the 36. of H. 8. left his Title and Estate to his son Henry, who enjoyed it until 5. E. 6. then dying of the Sweating sickness, left them to his Brother ^c Charles, who only lived to be his brothers Heir, and Duke of Suffolk; and the same

^a Speed. 1111. Holl. 1059. ^b God. f. 244. & Holl. f. 1066. God. f. 244. Speed. 1109. day

day; and of the same disease with his brother dyed: and with him the Title, Name, and Family of *Brandon*.

The Statute of *H. 8. c. 13* gives the Monastery of *Sibeton* in *Suffolk*, to the Duke of *Norfolk*, and the Chauntry of *Cobham* in *Kent*, to the Lord *Cobham*, since which time how heavy the hand of justice hath fallen upon these Noble Families, inform thy self from our *Annals*.

Consider next the Duke of *Somerset*, Protector to *Edward* the sixth: *Goodwin* in his *Annals* saith, *a* He was a just and pious man, a zealous reformer of Religion, a Faithfull preserver of the King and commonwealth, save that with the common error of the time, his hands were deep in sacrilege. In the first year of *Edward* the 6th he procured the Dissolution of some Chantries, Free chappels, and Hospitals, left undissolved by *H. 8.* In the third year, he permits (if not procures) his Brother *Thomas* Lord *Seymore*, untried, (saith *c* *Goodwin*) to be attainted by Parliament; and shortly after (not unblamed) signed a Warrant for his Execution, whereupon his Brother lost his head; and he a Friend.

The same year his zeal to Reformation adds new sacrilege to his former; for he defaces some part of *St Pauls* *d* Church, converts the Charnel

a *Goodwin*. for 252. *b* *Stat. 1. E. 6. c. 14.* *c* *Goodwin*. for 227. *d* *Stowes Annals*.

house, and a Chappel by it, into dwelling Houses; and demolishing some Monuments there, he turns out the old bones to seek new sepulchers in the fields: next he destroyes the Steeple, and part of the Church of St Johns of Jerusalem †, by Smith-field, and with the stone beginneth to build his house in the * Strand; but as the leprosie with the Jews, with us the curse of Sacriledge, cleaves to the consecrated stone; and they become unsuccessful, so as the Builder doth not finish his House, nor doth his Son inherit it. In the fifth year of Edward the 6th the Duke was indicted, and found guilty of Felony, which was (saith Hollinshead) upon a statute made the third and fourth of Edward the 6th and since repealed: whereby to attempt the death of a privy counsellour is Felonie, (Goodwin saith) upon the statute of 3. H. 7. but erroneously, that not extending to Barons: it is observable, that this Law was but the year before passed by himself, and himself the onely man that ever suffered by it. The statute being since repealed, a Goodwin observes and wonders, that he omitted to pray the benefit of his Boock, as if Heaven would not, that he that had spoiled his Church, should be saved by his Clergy: and it is observable, that in the Reign of Edw. 6th none of the Nobility dyes under the rod of Justice, but the Duke of Somerset. and his Brother the Lord Ad-

† See Annals. * Somerset house, a Goodwin, fol. 247.

miral, all the *Unckles* the King had: and their Crimes comparatively were not *hainous*.

Did these men dye the common *death* of all men, or are they visited after the *manner* of all men? if not, believe they *provoked the Lord*, and consider, that if they sinned in the first *Prophanation*, thou that continuest their *act*, canst not be *innocent*.

Here thou mayest see God observing a *Decorum* in his *punishment of Sacriledge*. The issue of the *Conqueror* are strangely (almost miraculously) slain in the *New Forrest*, where their Father committed the *Sacriledge*. *Woolsey*, that by the Kings power and licence had destroyed 40 *Monasteries*, is by the Kings power ruined, and at last driven to seek *entertainment*, and an obscure *grave* in a *Monasterie*: his *Agents*, that had thrust themselves into his *sacrilegious* employment, are themselves their own Executioners, guilty of their own *bloods*.

Pope Clement the 7th that willingly permitted the *spoil* of 40 *poor Monasteries*, to erect two *rich Colledges*, is himself necessitated to *plunder* his own *rich Church*, to preserve his poor decayed person,

The Lord *Cromwel*, and Duke of *Somerſes*, commit their *sacriledge* by *Acts of Parliament* and by *Acts of Parliament* they perish every one by the *sword*, wherewith he strikes.

And since in the *Acts* of *Parliament* for *dissolu-*

tion of Monasteries, the whole *Kingdom* was involved either by their personal *consent* as *Barons*, or their *implicit* consent in the *representative* body in the *House of Commons*: we have just cause to fear and pray, lest God, still observing his *order*, and turning our *Artillery* upon our selves, should make use of a *Parliament* (whereby our *Fathers* robbed him) to destroy us their *Children*.

I have here given thee instance only of such as were the first *Actors* in the *violation* and *subversion* of *Monasteries*; lest therefore thou shouldest think the *crime* and *punishment* endeth with them, consider with me the condition & success both of our *Common-wealth* in general, and of *private Families* in particular before the *dissolutions*, and observe them after; and we shall find just cause to think there is a *curst thing* amongst us. For while our *Religious houses* stood, they employing their *Revenues* according to the *Donor's* direction opened wide their *hospitable gates* to all *Comers*, and without the charges of a *reckoning*, welcomed all *Travellers*, untill the statute of 1. *Ed. 1.* restrained and limited them, & casting their *bread* upon the *waters*, they relieved the *neighbouring poor*, without the care of the two next *Justices of peace*, or the *curse* of a *penal Law*: while they stood, the *younger children* both of *Lords* & *Commons* were provided for, without the ruine of their *Fathers estate*, or (almost) a charge to their *Parents*, and not lost

(as now) often to an unworthy, necessitous, and vicious course of *Life*: we had then no *new laws* (the off spring of *new vices*) to erect houses of correction for *lewd* and *vagrants* persons, to provide *stock* to bind poor children *Prentices*, or to make *weeklie Levies* to maintain the *weak, lame, indigent, and impotent* people, to our new charge of an *annual Subsidie* at least: for these were provided for, those prevented by the *charity* of our *Religious houses*; and then the *Families* and *Estates* of our Nobility & Gentry continued long through very many *descents*. But when *covetous* sacriledge got the upper hand of *superstitious* Charity, and destroyed all our *Monasteries*, all our *Religious houses*, the preservers of *Learning*, both Divine and Humane, by their learned *works* and laborious *Manuscripts*; the suppressors of *Vice*, by their strict, regular, and exemplar *Life*; (though some, nay many among them, sons of *Ely*, made the *offerings of the Lord to stinck before the people*,) then all their *Houses*, all their *Lands*, *Appropriations*, *Tishes*, *b* and *Oblations* coming into the *Kings* hands, (Policy to prevent a *restitution*) distributes them among the *Laiety*; some the King *exchanges*, some he *sells* others he *gives away*; and by this means (like the

a Vid. 43. *Eliz. c. 3.* *b* *Speed. f. 1086.* *Par. Churches 923.* *Cam. Brit. f. 162.* *Par. Churches 928.* 4. whereof impropriate 3845.

tion of Monasteries, the whole Kingdom was involved either by their personal consent as Barons, or their *implicit* consent in the *representative* body in the House of Commons: we have just cause to fear and pray, lest God, still observing his order, and turning our Artillery upon our selves, should make use of a *Parliament* (whereby our Fathers robbed him) to destroy us their Children.

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a Vid. 43. Eliz. c. 3. b Speed. f. 1086. Par. Churches 923.
Cam. Brit. fo. 162. Par. Churches 9284. whereof impropriate
3845.

dust flung up by *Moses*) they presently disperse all the Kingdome over, and at once become *cur-ses* both upon the Families and Estates of the Owners; they often vitiously spending on their private occasions, what was piously intended for publick Devotion; insomuch that within Twentie years next after the Dissolution, more of our Nobility and their Children have been attainted, and dyed under the sword of Justice, then did from the Conquest to the Dissolution, being almost five hundred years: so as if thou examine the List of the Barons in the Parliament of the 27. H. 8. thou shalt find very few of them, whose Son doth at this day inherit his Fathers Title and Estate; and of those few, many to whom the Kings favour hath restored what the rigorous law of Attainder took, both Dignity, Lands, and Posterity. And doubtlesse the Commons have drunk deep in this Cup of deadlie Wine, but they being more numerous, andd lesse eminent, are not so obvious to observation.

Thou hast seen the insuccesse of H. 8. and his Family, and mayest observe his sacrilegious wealth not to thrive better.

Mr^a Camden in his *Britannia* saith, that in the time of H. 8. after the Dissolution of the lesser Houses, there were remaining 645. Monasteries, (Monuments of our Ancestors piety) built to

^a *Cambden. fol. 163.*

the honour of God, and propagation of the Christian Faith, Learning, and the reliefe of the Poor; as also 96 Colledges, (besides those in the University) 110 Hospitals, and 2374 Chantries and Free-Chappels. All which, except some few Colledges, Free-Chappels, and Chantries, with all their Lands and Wealth, came to H. 8. the Annual value of the Lands then being very Vast, their Goods and Personall Estates exceeding great, besides the Plunder of Shrine inestimable, when the Pearle, Gold, and pretious stones of one Shrine filled two Chests so as each tooke eight strong men (saith Mr Cambden) to carry it.

And though the dissolving of Chantries, Colledges, and Free-Chappels, in the 37. of H. 8. his Reigne did not yeeld him a Crop equall to the Vintage of his former Reformatiōs; yet was his Harvest better then the Gleanings of Ruth, though among full sheaves. ^u Speed saith he had 12 Barrels filled with gold and silver, which Cardinall Woolsey provided for the Pope, Goodwin remembers 1884^l he had of the Clergie for their Fine in a Premunire, besides the great benefit of Forfeitures that accrued by the attainders of many great men, and the multitude of Lones, Taxes, and Subsidies, he received from his Subjects, being more (saith Mr Cambden, and Mr Howes) then all the

^l Goodwin. fol. 159. ^u Speed. f. 1011,

Kings had in 500 yeares before; yet all this accesse of *wealth*, added to that *Masse* of 5300000^l left him in ready mony by his *Father*, as appears by the *Close-Roll* of 3 H. 8. (saith Sir *Edw.^x Cook*) could not preserve him from want, (the certaine attendant on *sacrilegious wealth*) wherewith he is so sore^a pressed, that about the 36 yeare of his Reigne, of all the *Kings* of *England*, he alone, Coynes not onely base^{*} *Tinne* and *Copper*, but *Lether money*.

And it is observed that since the accession of *Abbies*, and *Impropriations* to the *Crown*, even the *Crown Lands* (which formerly have been thought sufficient to support the ordinary charge of the *Crown*,) are now so wasted (absit invidia dictis) as they will scarce defray the ordinary charge of the *Kings* household. And while such bitter *Freams* flow from *sacrilegious Wells*, though digged by *Kings*, Subjects that fill their *Cisternes* from thence, cannot expect to drink sweet *Waters*.

Reyners y tells us, and upon good credit, that at the dissolution, H.8. divided part of the *Church spoiles* among 260 Gent. of *Families* in one part

^x Cook. Jurisdiction of Courts. fol. 198.

^a Non tantum stanneam cupreamque sed coreatam pecuniam solus omnium regum Ang: procudere coactus est.

y *Apostolus* Benedict. in Ang. fo. 227. & 228.

of *England*, and at the same time *Thomas Duke of Norfolk*, rewards the service of *Twenty* of his *Gentlemen*, with the grant of *40l* a year out of his own *Inheritance*, and that while, not *sixty* of the *Kings Dones*, had a *Sonne* owning his *Fathers Estate*, every one of the *Dukes*, hath a sonne of his own *Loynes*, flourishing in his *Fathers Inheritance*: and that he could have set down their severall names, had conveniency required it.

Thou maist here expect I should observe the ill successe of particular private men, *possessors* and *owners* of *Impropriations* and *Scites* of *Religious Houses*, but to set down all, would make the *porch* much bigger then the *House*, a disproportion, I fear, among other *Errors*, I am already *guilty* of, while I discover the nakednesse only of *thee*, thy *Parents* or *Friends*: But do thou, and let every man observe, how often *Impropriations* and *Religious houses* in a short time *change*, and *shift* their *owners*, like the *Arke* not resting, either with the men of *z Ashdod*, *Gath*, nor *Eckron*, but *wearies* them out with *Emrods*, and *Mice*; *curses* upon their *persons* and *Estates*: but returned to *Bethshemeth* and *Kiriathjearim* to its own place, to the *Priest*, and *Levite*, not only *Obed-Edam*, but even all *Israel* is blessed.

And that thou mayst neither *doubt*, nor yet

wonder, at the insuccesse of *Sacrilegious Persons*; first weighing what *David* prayed against those that did but say, ^a *Let us take to our selves the houses of God into our possession*; next remember, the many and grievous *Curses* imprecated by *Founders of Religious Houses*, and those seconded by their *Spiritual Mother* the ^b *Church*, she injoynd it by the naturall Parent, in severall *Acts of Parliament*, and canst thou hope good from their *blessings*, and not fear evil from their *Curses*? If thou thinkest the *Founders* *Idolaters*, the *Church* *Popish*, and therefore their *curses* not regardable, let that in ^c *Ezra* rectifie thy *Error*, where thou shalt find *Darius* finishing what *Cyrus* began, the second *Temple* at *Jerusalem*, then restoring what *Nebuchadnezzar* had taken, all the *Golden* and *Silver Vessels*, then he gives *Cattel*, *Corn*, *Wine*, *Oyle*, &c. for *sacrifices*, and addes this *curse* upon the violators; ^d *And the God that hath caused his name to dwell there, destroy all, King and People, that put to their hand, to alter and destroy this house of God, which is at Jerusalem, there thou maiest observe both an Idolater giving, and a Heathen cursing, yet is his gift acceptable, and his curse prevalent, for thou shalt find Antiochus* ^e *Epiphanes* his *Armies* destroyed, himselfe dejected, and complaining even

^a Psalm. 83. ^b 17. E. 1 c. 6. ^c Ezra 6. ^d Ezra 6. 11. ^e 1 Mac. 6.

to death, of his great tribulation and misery, acknowledged that they befall him for his Evil done at Jerusalem; for he tooke thence the Golden Altar, the Table of the Shew-bread, the Vessels of gold and silver, as thou maist read in the 1. Chap. 1. *Mac.* and himselfe dying of a most loathsome disease. And shortly after his sonne *g. Antiochus Empater* is slain: & in the same Chapter thou maist observe *Nicanor* threatening to burne up the Temple, and presently he first, and after, all his Army is slain, not one escapeth; the head and right hand of *Nicanor*, which had beene litted up against the *h Temple*, is cut off, and hung up towards Jerusalem. *Heliodorus* is sent to Jerusalem by *Seleucus King of Asia*, to take the Treasure out of the Temple, and while in the Temple disposing the treasure, he is smitten of God, and ready to die, untill *Onias the High Priest*, at the intreaty of Friends, offers sacrifice for him, and obtaines his life: and *Heliodorus* returnes to the King, and declares what befell him; the King, yet thirsting for the Money of the Temple, would lend another, and demanding of *Heliodorus* whom, he answered, thy enemy or a Traytor, for if he escape with life, he shall be sure to be scourged: so certaine is the punishment of Sacriledge.

f Mac. 1. 1. 21. 12. g Mac. 7. 4. h 2 Mac. 3. i 2 Mac. 3. 38.

k Calisthenes attempting to burne the Temple, set fire on the gates, and after is himselfe burnt by the Jewes.

l Lyfimachus, called the Church-rober, commits many *m* sacriledges by the instigation of Menelaus, is slaine by the *n* Treasury of the Temple, and his instigator, is by Antiochus put to a strange Death. For in Berea was a Tower 50. Cubits high, full of Ashes. with a Round instrument that went down into the Ashes, wherein they put Sacrilegious persons, and Menelaus (saith the Text) having committed sinnes against the Altar, whose Fire and Ashes are *h*oly, receives his Death by Ashes, not having a Buriall in the Earth.

Alcimus even in his Act of Sacriledge, while pulling downe the *o* Temple walls, is struck with a Palse and dyes in torment.

Jason that burnt the Porch, Demetrius and other Sacrilegious persons, all fall under the single Curse of one Heathen: & dost thou think to scape so many Curses of a Christian Church, which twice a yeare (being so directed by Parliament) curses the violators of Churches and Church Liberties.

But if these judgments and examples cannot fright thy covetous soule from Sacriledge, but thy desires of being rich sway thee, then let thy pro

k 2 Mac. 8. 33. *l* 2 Mac. 4. 39. *m* 2 Mac. 4. 2. *n* 2 Mac 13. 5, 6, 7, 8. *o* 2 Mac. 9. 55.

vident good husbandry so farre prevaile with thee, as not to meddle with Gods and the Levites portion, the Church patrimony; but even out of Temporall and Worldly respects for the good of thee, thy Children, Neighbours, and posterity, forbear (what pretences soever are made) the dissolving Bishopricks and Deaneries.

Remember that of all the specious pretences and large promises made both by Woolsey and H. 8. upon their severall Dissolutions, not any one of them is performed; Woolsey neither settles his Colledges, nor H. 8. ease his Subjects of Loaves, Taxes, and Improvements; maintains no Souldiers for the defence of the Kingdome, nor disposes the Lands, as the Statute directs, to the honour and pleasure of Almighty God; nor indeed to the profit of the Kingdome, if thou weighest the profit and conveniencie the Publique had before, with what they have now; the burdens and charges that we have since groaned under, and formerly not known: but that evill is onely to be lamented not cured, may we happily prevent the like for the future.

The Lands and Revenue of Bishopricks and Deaneries, clogg'd with long Leases under small Rents, can give but little help to pay off the Vast Publique Debt; and that with greater damage to the Commonwealth, then the draine of private Purses can be: for this only weakens particulars, and for the present, that ruins gener. lly, and for ever:

for the *Priesthood* is not with us (as with the *Jews*) intailed upon *Aaron* and his *Sonnes*: but *thine*, *mine*, *his*, the *sons of Nobles*, *Gentlemen*, and *Peasants*, while all alike able, are all alike interested in the *Churches* preferment, which in our *Nation* is the sole *Spur*, the only *reward* for *Learning*; and happily provides for those, which otherwise would be *burdens* to their *Parent*, mischiefs to the *Kingdome*: while *Colledges*, *Bishopricks*, and *Deaneries*, continue, thou and thy *Neighbor* continuest thy *Lease* at small *Rents*, thy *Sons* and *Grand child* renues it at easie *Fines*, and by the accustomed *charitie* of thy *Ecclesiastick Landlord*, thy continued *Lease*, not clogged with *Live-ies*, *Primer-seisins*, and *Wardships* (the consequence of *Tenures*) equals, if not betters an *Inheritance*.

But *Colledges*, *Bishopricks*, and *Deane-ies* dissolved, their *Lands* and *Houses* must be assigned (as were *Monasteries* and *Impropriations* to this *Lord*, or that *Comtée*, or to that or this *Committeeman*, and then thy *rent* (if thou beest continued *Tenant*) must be raked to the *highest rate*, 'till thou art ruined by paying so great a *Rent*, thy *Landlord*, by receiving the *Church Revenue*, and all we, while under the rodde for the first, be guilty of a second *Nationall Sacriledge*; for shall we not believe this *Nationall Warr*, and *general ravine*, to be for a *general* and *Nationall sin*; which cannot be the acts of *private* and *particular men* though

(though infinitely multiplied) but must proceed from the *Acts* of the *universall Nation*, and such I know none, but that *Sacriledge* of destroying some *Churches*, some *Chappels*, and robbing others of their *Tythes* and *Indowments*, which is not onely connived at, but made lawful by our *Acts of Parliament*, to which even every one in the whole *Kingdome*, by our owne *Law*, is said to be *privie* and *consenting*, & thereby *guilty* of the *subsequent Sacriledge*: and then do'thou judge, whether another *Act* for *dissolution* (which God prevent) will not be a *step* to another *Nationall Sacriledge*, and that to another *Scourge*; therefore if *Hophni* and *Phineas* have *sinned*, and *Eli* not reprov'd them, let them all three *dye*, yea in one day, for we have *Text* and *preſident* for that, but neither, that the order should *perish*.

To conclude, do thou consider, that while we deteine *Tithes* from the *Church*, and forbid *Aaron* to counsell *Moses*, whether we *trespaſſe* not upon the *Property* and *Liberty* of the *Church*; and shall not *God viſit* for these things, when thou with thy *Sword* maintainest against thy *Brother* (if not against thy *King*) thy *Property* of goods, and *Liberty* of *Subjects*? But that *God* may withdraw his *Viſitations*, and thou sheath thy *Sword*, and the *King* receive the *Alligiance* and *Tribute* due from His

Subjects, His Subjects their *Protection* and *Liberties* from the *King*; May King and Subjects agree to return *God* and his *Church* what is due to them, and may the first *Affor*, in restoring *God* his *right*, be by *God* first restored to his *owne right*.

Other things (and these more perfectly) I would have observed to thee, had not *London* and *Oxford*, the Records and I been at so great a distance. Let therefore thy goodnesse excuse, what is either omitted or mistaken by not viewing the Records, and for my other Errors, I beg thy pardon, as I would have done for meddling with this *subject*, fitter for a *Pulpit* then my *Pen*; but I have often heard it *sighted* from the *Levite*, as Preaching his owne *profit*, and therefore thought it might take better (though worse delivered) from a *Lay hand*, no wayes concerned by it, But in the generall Calamity of our *Common-wealth*. Farewell.

CLEM: SPELMAN.



De non temerandis Ecclesiis.

OF THE RIGHTS AND RE-
SPECT DUE UNTO THE
CHURCH.



IN so much as the rights and duties that belong to our Churches, are (in effect) contained under the name of a Rectory, or Parsonage ; I will first define, what I conceive a Rectory or Parsonage to be, according to the usual form and mannner thereof.

A Rectory, or Parsonage, is a ^a *Spiritual living*, composed of *Land*, ^{A Rectory} *what it is.* *Tithe*, and other ^b *Oblations* of the people, ^c *seperate*, or dedicate to God in any *Congregation*, for the ^d *service* of his Church there,

^a *Plorid. comment. in Qua re impedit per Genciam, &c.*
^b *oblato est omne quod exhibetur in cultu Dei, To. 1. 2. 200.*
^c *85. 3. 3. &c. and Urban in his epist. Tom. 1. Concil. And Lands*
^d *are so termed, Exech. 45. 1. and Tithe. Num. 18. 24. So also*
^e *the Canonists and Civilians expound them, Concil. Aurel 6.*
^f *Burcha. lib. 3. cap. 120. & 143. Et. lex. Jurid. in verb. Ob-*
^g *latio. c. Levit. 27. 28. d Touching divine worship, and works*
^h *of Charity.*

and for the maintenance of the *Governour* or *Minister* thereof, to whose charge: the same is committed.

By this *definition* it appears, that the ordinary Living or Revenue of a Parsonage, is of three sorts: the one in Land, commonly called the *Glebe*; another in Tythe, which is a set and regular part of our goods rendred to God. The third, in other Offerings and Oblations bestowed upon God and his Church, by the people, either in such arbitrarie proportion as their own Devotion moveth them, or as the Laws or Customes of particular places do require them.

2. Though I invert order a little, *Tithes*, how I will first speak of *Tithes*, because it is God's ancient Demaine, and the nobler part of this his inheritance; founded primarily upon the Law of Nature, (as the other be also after their manner.) For the *Law of Nature* teacheth us, that God is to be honoured; and that the honour due unto him, cannot be performed without *Ministers*, nor the *Ministers* attend their function without maintenance. And therefore seeing God is the supreme Lord, and possessor of all*, and giveth all things unto us that we are maintained with, it is our duty, both in point of *justice* and *gratitude*, to render something back again unto him, as acknowledging this his supre-

macy and bounty; as honouring him for his goodness as a testimony of the worship, love, and service we owe him; and lastly, as a means whereby these duties and services may be performed to him. This, I say, the very *Law of Nature* teacheth us to do, and this the *Law of God* requireth also at our hands: but what the *set* portion of our goods should be, that thus we ought to render back unto God, I cannot say the *Law of a Nature* hath determined that: But the wisdom of all the Nations of the World, the practice of all Ages, the example of the Patriarchs, ^b *Abraham & Jacob*, the ^d approbation and commandement of Almighty God himself, and the constant ^e resolution of his Church universally, hath taught and prescribed us to render unto him the *Tenth part*: and that this *tenth part* or *Tithe*, being thus assigned unto him, leaveth now to be of the nature of the other *nine parts*, (which are given us for our worldly necessities,) and becometh as a thing dedicate and appropriate unto God. For it is said, *Levit. 27. 30. All the Tithe of the Land, both of the seed of the ground, and of the Fruit of the trees, is the Lord's: yea more then so, it is holy unto the Lord,*

^a Yet there be divers naturall reasons, that commend this number (for this purpose) above other. ^b *Gen. 14. 20. c Gen. 28. 22. d Lev. 27. 30. and 32. Deut. 12. 6. & 11. Malachy 3. 10.* ^e Declared by the Fathers and Councils.

And again, v 32, *Every Tythe of Bullock, and Sheep, and of all that goeth under the rodde, the tenth shall be holy unto the Lord.* He saith, *holy unto the Lord*, not that they were like the sanctified things of the Temple, which none might touch but the Anointed Priests: but *holy and separate* from the use and injury of secular persons, and to be disposed onely to, and for the peculiar service and peculiar servants of God. And therefore in the 28. verse, it is said, *to be separate from the common use, because it is separate, and set apart unto the Lord.*

3. But some happily will say, that Tythes originally, this use of Tithing rises out of the not Levitical. *Levitical Law*, and so ended with it.

I answer, that it was received and practised by Abraham and Jacob diverse hundred years before it came to the Levites. For it is said that Abraham gave tithes to Melchisedek Gen. 14. 20 and that Levi himselfe paid tithes also in the loines of Abraham, Heb. 7. 9. Melchisedek was the Image of CHRIST, and his Church; Abraham, of the congregation of the Faithful. Therefore though Levi received tithes afterward, by a particular grant from GOD, for the time; yet now he paid them generally with the congregation, in the loines of Abraham, unto the Priesthood of Christ,

a Jacob voweth to give Tythes, Gen. 28. 22. And Josephus sheweth, he performeth his vow. *Antiquit. lib. 1. cap. 7.*

here

here personated by *Melchisedeck*: which being perpetual, and an image of this of the Gospel, may well denote unto us, that this duty of *Tithe*, ought also to be perpetual. And therefore *Chrysostome* saith, that *Abraham* herein was OUR Tutor, not the tutor of the *Jewes*. And insomuch as *Abraham* paid it not to a Priest, that offered a *Levitical Sacrifice* of *Bullocks* and *Goats*, but to him that gave the *Elements* of the *Sacrament* of the Gospel, ^b *Bread* and *Wine*; it may also well intimate unto us, to what kind of Priest we are to pay our *tithes*: namely, to him that ministrerh unto us the *Sacrament* of *bread* and *wine*, which are onely those of the Gospel, and not the *Levitical Priests*: So that our *tithe* paid in this kind, cannot be said *Levitical*: as also for that the *Levitical tithes* were onely of things: renewing and increasing: whereas *Abraham* and *Jacob* paid them of all; as if they had followed the commandement of the *Apostle* *Let him that is taught in the Word, make him that bath taught him, partaker of ALL his Goods.* Gal. 6. 6.

God also requireth this duty of *Tithe* by his;

a *Heb. 35. in Gen.* b The Scripture onely mentioneth *Bread* and *wine* to be given by *Melchisedeck* to *Abraham*: But *Iosephus* sheweth, that he gave him also many other rich gifts. *Antiq. lib. 1. c. 18.* c *Lev. 37. 30. & 31.* d *ἐν τῷ ἁγίῳ*.

own mouth, as of old belonging to him, before the *Levites* were called to the service of the *Tabernacle*, and before they were named in Scripture. For they are not named till *Exodus*, 38. 12. And it is said in *Exod.* 22. 29. *Thine abundance of thy liquor shalt thou not keep back*: meaning *Tithes* and *first fruits*, and therefore *Hierome* doubteth not so to translate it, *Thy Tithes and first fruits shalt thou not keep back*. And in this manner of speech, the word *Keep back*, sheweth, that it was a thing formerly due unto GOD: for we cannot say, that any thing is *kept back*, or *withholden*, that was not due before. Therefore we find no original commandment of giving *Tithe* unto GOD: but upon the first mentioning of them in *Leviticus*; they are positively declared to be *his*, as a part of *His Crown*, and ancient *demaine*; for it is there said, *Cap.* 27. 30. *All the tithe of the Land is the Lords*. And *Moses* commandeth not the people a new thing, but declareth the *Right*, that of old belonged to GOD, namely, that *all the Tithes of the land was his*.

Other phrases of Scripture do confirm this; for afterward, when *Tithes* came to be assigned to the *Levites*, God doth not say, *The children of Israel shall give their Tithes to the Levites*; but he saith, *Behold, I have given them to the Levites*, *Num.* 18. 21. 24. & 26. And continuing this his claime unto them, against those that many hundred

dred years after disleised him of them, he complaineth, *Malachy 3. 8. That they that withheld their tithes from the Levites, spoiled him himselfe.*

But having handled this argument more largely in a greater work, I will here close it up with, opposing against these kinds of Adversaries, not onely the reve. end authority of those antient and most honourable pillars of the Church, SS. ^a *Ambrose*, ^b *Augustine*, ^c *Hierome*, and ^d *Chrysostome*, (who though they run violently with *Saint Paul*, against such ceremonies, as they conceived to be *Levitical*; yet when they come to speak of *tithes*, admit, maintain, and command the use thereof:) but also the resolution of many ancient ^e *Councils*, and a multitude of other ^f *Fathers* and *Doctors* of the Church in their severall ages: all of them concurring in opinion, that *Tithes* belong justly unto *God*; and many of them commanding all men even upon perill of their souls not to withhold them: which argument [†] *S. Augustine* himselfe pæthetically maintaineth, in a particular Ser-

^a *Ambros. in Ser. quadrages.* ^b *August. in Ser. de tem.* 129. & *alias.* ^c *Hieron. in Mala. 3.* ^d *Chrysost. in Epist. ad Heb. Rom. 12. & Rom. 31. in Gen.* ^e *Roman. Concil. 4. Aurelian. 1. Tarracoe. sub Ham. Mediomacritus, Toletan. Agrippin. cap. 6. Wisalca. Montif. conclus. 2. Valentinian. sub Leone 4. Rothom. c. 3. cavall. cap. 18. Magantin. cap. 10. & Orligen, Tertullian, Cyprian, Gregor, &c.* [†] See this Sermon in the end of this book.

mon of his to this purpose. And though it be a great question among the learned, whether they be due *in quota parte jure divino*, (which requireth a larger discourse) yet I never read of many that Impugned them so absolutely. * *Licetardus*, who lived about 1000 years after Christ, taught the payment of them to be superfluous and idle, and the growing desperate, drowned himselfe, as it were to give us a badg of this Doctrine.

4. Touching *Oblations* and *Offerings*: the *Fathers* under^a this name accounted all things, that were given or dedicated to the service of God. And in the first ages of *Christian Religion*, (after the great persecutions,) the *Church* by this means began so to abound in riches, that the good Emperours^b themselves were constrained to make laws (not unlike our statutes of *Mortmaine*) to^c brayn the excess thereof, for fear of impoverishing their *temporal* estate. In those dayes, many Churches had *Treasuries* for keeping these oblations as the Storehouses at *Hierusalem*, appointed by^c *Heze-*

* *Glaber. Hist. lib. 2. c. 11.* a *urbav. crist. circiter annum Christi 2:7.* b *Constantine and Valentinian* made Laws, that rich men, which were able to support the charge, of the Common wealth, should not be admitted into Religious houses, because their possessions and goods were thereby amortized. c 2, *Chron.* 31. 11.

hab, for the Temple) but the succeeding ages contracted them into Chests: and in these later times, the *Parsons* pocket may well enough contain them. I shall not need therefore to spend many words in a small matter: for all the *Oblations* now in use, are in effect the *two-penny* Easter offerings, and few other such like: which because the owners of *Appropriate Personages* shall not ignorantly convert into their own benefit, I will shew them why they were paid, and why they have them.

Saint *Paul* ordained in the Churches of *Galatia* and *Corinth*, that every one upon the Lords day should yield somewhat to God for the *Saints*. 1. *Cor.* 16. 2.

But this (being once a week) came too thick and too often about. Therefore in *Tertullians* time the use was to do it monthly, and (at last) at pleasure. But it was ever the ancient use of the Primitive Church (as appeareth by *Justin* and *Cyprian*) that all that come to the holy *Communion* did according to their abilities, offer something of their substance to God, for charitable uses, and maintenance of the *Ministers*. Therefore *Cyprian* sharply taxeth a rich Matron, that received the communion, and offered nothing.

a *Tertullian*, in *Apologético*. b *Justinus* in *Apol.* 21. *Hil.*
Eccles. c *Sermone* 1. de *Eleemosynis*.

62^e De non temerandis Ecclesiis:

Locuples & dives & dominium celebrare te credis, quæ a Corban omnino non respiciis &c. What (saith he) art thou able and rich? and dost thou think that thou celebratest the Lords suppr, which bringest nothing to the Treasury? So Irenæus saith, ^b That it was, the use of the Church through the world in his time, and received from the Apostles, to offer something of the blessings that they lived by, as the first fruits thereof, to him that gave these things unto them. Which c Zanchinus understandeth to be meant of Offerings at the Communion, ^g unto holy uses, and for relief of the poor of the Church: commending it for an excellent custome, & complaining that it is now discontinued. But to this end, and in imitation hereof, are our Easter and Communion offerings (as also those, at, and for Christnings, Burials, &c. which I will not now speak of, at this day made, and therefore let Proprietaries consider with what conscience they can swallow and digest them.

5. Touching the land, gl. be, and
 (of) Glebe land and houses belonging to Parsonages,
 houses belonging to Parsonages. (which I would have called God's
 fixt inheritance, but that I see it is

a He calleth the treasury Corban, of that at the temple of Hierusalem. b Novi Testamenti novam docet (scilicet christianis) obligationem, quam Ecclesia ab Apostolis accipias in universo mundo offert Pro, ei qui alimenta nobis præstat; primitias suorum munerum in novo testamento. c Vide Zanchinum lib. 1. de gelu Dei ex cap. 40.

moveable.)

moveable,) I cannot say that they are God's ancient demaines, in the same form that *tithes* are, and as our Clergy enjoyeth them: but the warrant & ground thereof riseth out of the word of God; who not onely gives us a president thereof, when he appointed Cities for the *Levites* to dwell in, with a convenient circuit of fields for the maintenance of their Cattle, *Num.* 35. 2. &c. but commanded also the children of *Israel* (and in them all the Nations of the world, that in division of their land, they should offer an oblation to the Lord, an holy portion of the Land for the Priest to dwell on, and to build the house of God upon: *Ezech* 45. 1 & 4. So that the Houses & Lands that our Ancesters have dedicated to God in this manner, for the Churches and Ministers of this time, are now also his *right* and *just inheritance*, as well as those which the *Israelites* assigned for the house of God, and *Levites* of that time; and cometh upon the same reason, and in lieu thereof. But because it is uncertain, when and how they were brought into the Church, I will say something touching that point.

In the time of the Apostles the use was (as appeareth *Acts* 2. 45. and *Acts* 4. 34 & 35.) to sell their lands, & bring the money of *it*, to the Apostles. For the Church being then in persecution, and the Apostles not to remain in any particular place, but

How Lands
come to the
Churches.

to wander all over the world, for preaching the Gospel; they could not possesse immoveable inheritances, and therefore received onely the money they were sold for, distributing it as occasion served. But after, when the Church obtained a little rest, and began to be settled, it found much casualty in pecuniary contributions, and chused therefore rather to retain the Lands themselves, given for the maintenance of God's Priests and Ministers, then (by suffering the same to be sold) to furnish the time present with abundance, and leave the future time to hazard and uncertainty. Hereupon the Fathers in the ^b Primitive Church, as well before *Constantine* (as appeareth by his own Edicts, and by ^c *Origen*, ^d *Eusebius*, and the Epistles of ^e *Pius*, and ^f *Urban*) as after began to accept and retain the lands thus given, and to leave them over to their successors for a perpetu-

^a It appeareth by the Epistles of *Pius* and *Urban*, who lived about the year of Christ 230 that the Church of Rome had then begun to retain lands in this manner, upon this reason: and it may well be, for that *Origen* and *Eusebius* shew, that Churches had their possessions. ^b *Edicta Constantini & Licinii Imper.* *Euseb. lib. 10 c. 5.* ^c *Origen* speaketh of rents of the Church. *Hom. 31. in Mat.* ^d *Eusebius*, of an house belonging to the Church of Antioch, that *Paulus Samosatenus* in the time of *Aurelianus* the Emperor (about 30 years before *Constantine*) wrongfully invaded, *lib. 7. cap. 24.*

^e & ^f Read the note (a) next afore.

all Dowry of the Church. And this open experience was found to be so godly, and worthy a course, that it not only received the applause of all succeeding ages; But commendeth for ever unto us their temperance, in desiring no more then for present necessity; their zeal for providing for posterity; and their great wisdom, (or rather, Prophetickall spirit) which fore-saw so long before hand, that devotion though it were at one time hot and fervent. yet, at another it might be cold enough: and therefore when time served, they would by this means provide that the Church forever, should have of her own, to maintaine her selfe withall. Upon this ensued many godly provisions of endowment of Churches, and for annexing their livings so unto them, as neither the variety of time, nor the impiety of man (if it were possible) should ever have divorced them; as appeareth by a multitude of antient Councils, Canons, Statutes, and decrees of the ^a Church, ^b Em-

^a *Synod. Roman. sub Symacho. 1. 3. Episcoporum circiter. An Ch. 481. 503. tota contra inasores Ecclesiarum Concil. Aurelianens. 4. Ann. 543. c. 19. & 34. Concil. Meldens. cap. 5. Borch. lib. 11. cap. 16. Concil. Gaugren. can. 16. Bur. lib. 11. can. 20. Concil. Mogunt. can. 3. 6, 7. & plurima alia.*

^b See the two Edicts of Constantine and Licinius Emper. Euseb. lib. 10. can. 5. And the laws of Constant. Theodos. Just. Cael. Magn. and many others.

perours, and ^a Princes, to that purpose. Therefore whilst the world burned so with that sacred fire of devotion, towards the advancement of the glory of God: that every man desired to sanctifie his hand, in the building of Churches, lest such holy monuments for want of due maintenance should in proceſſe of time become, either contemptible, or unprofitable: It was at length ordained in ^b *Anrel Concil. 4.* (*An. 545.*) cap. 33. And ^c *Concil. Valentin.* (*An. 855.*) cap. 9. That, whosoever builded a Church, should assigne unto it a * *Plough-land*, furnished for the maintenance of the Parson thereof. By vertue of these Councils (as I take it) were the Founders of Churches in France first compelled to assure Livings to those Churches. And it was also provided by the thi d Council of *Tellide* in Spain, that no Bishop might consecrate any Church, till sufficient maintenance (which ^e *Chrysostome* calleth the *Dowry of the Bride*) were assigned to it.

^a To passe over forraign Princes, our own in former times have almost successively confirmed them. ^b *Si quis in agro suo, aut habet, aut postulat habere diocesim, primum et terras ei deputet sufficienter & Clericos: qui ibidem sua officia impleant, ut sacratis locis reverentia condigna tribuatur. An. Conc. c. 23. in Conc. Tom. 2. ubi nota quod diocesis accipitur pro libertate condendi oratoria vel Ecclesias. itaque in argumentis hujus capituli oratorium exponitur.* ^c *Tom. Concil. 1.* * *Constantinensi.* ^d *Concil. Tolet. 3. c. 15.* ^e *Chrysost. hom. 11. in Acta.*

But because these were forraigne, and *Provinci-
all Councels*, not *General*: they bound not our
Countrey, otherwise then by doctrine and exam-
ple. Therefore it was here decreed after ward, to the
same effect in a ^a *Synod at London* under *Anselme
Arch-Bishop of Canterbury*, *Anno Domini 1105.*
H. 1. 3. And though the laws of our Church
began then first (as far as I yet can finde) to con-
straine our Countrey-men to give *Endowments* to
the Churches that they builded; yet we were
taught before (by the Custom and example of
our precedent Ancestors, as well as by our *duty*,
out of the *Word of God*) to do the same: as ap-
peareth by many Presidents, whereof I will only
aleadge one (but above others, that most famous)
of ^{*} *ETHELVVULPHUS*, *King of West-Sax-
ony*, who (in the year of our Lord 855.) as ^b *In-
gulphus Saxo*, and ^c *Simon Dunelmens.* report,
by the advice and agreement of all his *Bishops* and
Nobility, Gave not only the *tithe* of the goods, but
the ^d *tenth* part of the *Land* through his King-
dome for ever, to *God* and the *Churches*, free from
all secular services, taxations, and impositions
whatsoever: In which kind of religious magnifi-

^a *Syn. Lond: ca. 16. Antiq. Britan. ca. 34.* ^{*} *Alia A-
dulphus.* ^b *Ingulph. in Hist. Croil.* ^c *Sim. Dunelm. citat.*
Antiquit. Brit. ca. 27. ^d *Decimam maiorem ubi miniam
fr.*

cence, as our succeeding Kings have also abounded, to have they from ^a time to time, as well by Parliament Lawes, as by their Royall *Charters*, confirmed these, and other, the Rights of the *Church*, with many solemne ^b voves, and imprecations against *all* that should ever attempt to violate the same. Therefore if these things had not been primarily due unto God by the rule of his word, yet are they now *His*, and *seperate* from us, by the voluntary gift and dedication of our ancient Kings and Predecessors: as was the ^c tribute of a third part of a shekel, which *Nehemiah* and the Jewes out of their free bounty covenanted yearly to give unto God *for the service of his house*. For, as Saint Peter saith to *Ananias*: *Whilst these things remained, they appertained unto us, and were in our own power*: but now, when we have not only vowed them, but delivered them over into the hands and possession of Almighty God (and that, not for superstitious and idle orders, but meerly for the maintenance of his publick divine worship, and the Ministers thereof,) they are not now arbitrable, nor to be revoked by us, to the detriment of the Church.

^a As appeareth in their severall lawes, and namely, 15. times in *Edw.* 3. *Raigne*. ^b See the Stat. of 15. *Edw.* 1. in *Rolls* Abridgment tit. *Confirmat.* 3. And *Sententia lata super Chartas*. ^c *Nebe.* 10. 32. ^d *Acts* 5. 4.

6. Churches being erected and endowed, they and their livings, were Churches & (as I say) dedicated unto God. First, their livings by the solemne vow and oblation of God. the Founders; then by the solemne act of the Bishop, who, to seporate these things from secular and prophane employments, not only ratified the vow, and oblation of the Patron or Founders: but *consecrated* also the Church it self: using therein great devotion, many blessings, prayers, workes of charity, and some Ceremony, for sanctifying the same to divine uses. Therefore also have the ancient^a Councils added many fearfull *curses* against all such as should either violate it, or the Rights thereof.

This *Consecration*, Mr. ^b Perkins calleth a Dedication, but confesseth to have been in use in this manner, about the year of Christ 300. (which is within the time of the Primitive Church) only he admitteth not, that it was then performed with Ceremony and the signe of the *Crosse*; which here I will not stand upon, nor to shew the greater antiquity thereof, (though I think it may well be proved.) For * *Athanasius* being in those

^a See the 6. Syn. Rom. of 102 Bishops (above 1000 years since) wholly against violaters of Churches & Church-rights. And see many to this purpose. *Burchar. lib. 11. b Demonsp. problem. tit. Templum self. 3.* * *In Epist. ad Constant Imp.*

daies accused by the *Arians*, of ministring the Communion in a Church not consecrated, excused himself to have done it upon necessity. And a *Theoretic* reporteth. that *Constantine* (then likewise) commanded, all those that were at the Counsell of *Tyrie*, should come to **Ælia*: and that others should be assembled from all parts, for **Consecration* of the Churches builded by him. Which sheweth it to be so notorious and generall an use at that time, and to have such universal approbation; as it could not, but have a root also from elder ages, though there cannot be many presidents found thereof: for that the Christians being then in persecution, might hardly build, or dedicate any Churches, but were constrained to use private houses, and solitary places for their assemblies, Yet, even those houses, had (as it seemeth) some *Consecration*, for they were most commonly called **ades sacra*, holy houses, and have left that name, (to this day) amongst us, for our Churches, as a testimony of their sanctification, whereof I shall speak more anon. **Ensebius* also so saith, that inso much as the Holy houses and Temples of that time were thus Dedicated, and Consecrated unto God, the universall Lord of all: therefore they received his name, and were called in *Greek* *αγιας*, (in *Latin*, *Dominica*) the Lords

a *Hist. l. 1. c. 30.* & *Sozom. lib. 3. c. 25.* *Niceph. l. 8. cap. 50.* *Hist. Trier. l. 3. fol. 331.* * *Hierusalem* *re-digē*
ret, consecrare. * *Ensel. in orat. de laudib. Constant.* * *Idem.*

houses : Which name, saith he, was not imposed upon them by man ; but by himself only, that is Lord of all. Of this word *κυριακόν*, cometh the Saxon word *Cyric* or *Kyrk* : and (by adding a double aspiration to it) our usuall word *Chyrch* or *Church*, as it were to put us ever in mind, whose these Houses are : namely, the Lords houses: like that, which J A C O B dedicating unto GOD, called *Bethel*, that is, the House of God. Gen. 22. 22.

But both Church and Church-livings were thus solemnly delivered into Gods possession, & therefore all ages, Councils & Fathers (that ever I yet have met with) account them holy and inviolable things. And hereupon they are termed *Patrimonium Christi*, *Dos Ecclesia*, *Dos sponsa Christi*, and *Sacrata possessio*, or *Prædium sanctum* ^a For, Every thing that a man doth separate unto the Lord from the common use, whether it be mā, or beast, or Land of his Inheritance, 'tis Holy to the Lord: Lev. 27. 28. And in what sort I understand the word *Holy*, I have before declared.

7. As then the Law of Nature primarily taught all Nations in the world and Temples to give these things unto God : so the how respected very same Law, also taught them that by Heathens. it was sacriledge and impiety to pull them back again : yea, the very heathen counted the things thus severed unto their gods, to be *Sancta & inviolanda*. And St *Augustine* expoundeth, *Sanctum*

^a Chrys. hom. 18. in Act. Concil. Mogunt. cap. 7.

illud esse, quod violare nefas est. It is execrable wickedness, to violate that that is holy.^a *Pharaoh* would not abridge the Priests of their diet, or land: no not in the great famine. The very Barbarous Nations of the world, even by the instinct of nature, abhorred this impiety. ^b *Diodorus Siculus* noteth of the *Gauls*, that though they were a people, above all others most covetous of gold; yet having abundance thereof, scattered in all parts of their Temples to the honour of their gods; none was found so wicked amongst them, as to meddle with any of it. I could alleadge a multitude of Heathen stories to this purpose. But I will not weave the woollen yearne of the *Gentiles*, into the fine linnen garments of the *Christians*; I mean I will not mingle prophane arguments, in a discourse of Christian piety For the sheep that are of the fold of Christ, are tied onely *c* *to here his voice*, and to follow that, which if they do not, they are thereby known to be *Goats*, and not of his fold.

How fearful 8. The cause why I touched upon this a thing it is one heathen Example, is to aggravate to violate the manifold sins of us Christians, in this the Church. point. For if they that knew not God, were so zealous of the glory of their Idols, how much more is it to our condemnation, if we that know him, do lesse regard him? if it go hard with *Tyrus* and *Sydon* in the day of judgment that sinned ignorantly;

^a *Gen.* 47. 22. ^b *Biblioth. hist. lib.* 5. ^c *John.* 10. 3.

how much harder will it be with *Carasim* and *Bethsaida* that sin presumptuously: especially with *Capernaum*, that despiseth her Lord God and Master *Jesus Christ* himself? What is it to despise him, if to rob him of his honour be not to despise him? Or what is it to rob him of his honour, if to take from him the things given him for maintenance thereof, be not to rob him? Therefore when the children of *Israel* withheld their *tithes* and *offerings* from the *Levites*, he cried out in *Malachy*, 3. 8. that *himself was robbed and spoiled*, and was so highly offended therewith that he cursed the whole Nation for it. And to make *this* sin appear the more monstrous, he convinceth the offenders therein, not onely to be violaters of his *Legal* ordinances, but even of the very law of *Nature*, written in the heart of every man. For, saith he, *Will any man Spoile his Gods?* As if he should say: Can such a man be found, as will, or dares commit that sin, that all the Nations of the world, even by the instinct of Nature, account to be so horrible and impious? *to Spoile his Gods, what his own Gods?* Some were found, that now and then adventured to spoil the Gods of other Nations, yet not without punishment,) but few or none that I read of, (till these latter dayes,) that spoiled their own Gods, in apparent and *overt* manner, as the Lawyers terme it. I account it not overt and apparent, when we do as *Ananias* and *Sapphira*.

Sapphira did, pinch and detract from God, somewhat of that we vowed to give: nor, when we do as the children of *Israel* here did, withhold that which we ought to pay out of our own goods, (yet both these were heinous sinners, and dreadfully punished:) But I call it *overt and apparent*, when we throw our selves into a more dangerous sin, by invading openly the devotions of other men, and taking that from God and from his Church (as † *Athalia* did,) which we never gave unto it, even the Lands and livings thereof, yea, the Churches themselves.

9 Doubtlesse we have much to *David's* zeal for the house of God, fear in this point: For as it is a transcendent sin, so *David* labouring to match it with a transcendent punishment, bestoweth a whole Psalm, (*viz.* the 583.) in inveying particularly against these kind of Sinners, such (expressly) as *would take to themselves the houses of God in possession*; for that only is the very center of the Psalm, and therein do all the lines and projections of the *Prophets* invectives concur. First, he maketh a flat opposition between God and them, and therefore calleth them

† 2 *Chro*. 24. v. 7. a This Psalm is alledged to this purpose by *Lucius*, (who was martyred about *An. Chr.* 255) in his Epistle to the Bishops of *Gallia* and *Spain*. *Tom. Concil.* 1.

his enemies. Then he describeth the nature of these kind of enemies, namely, that they are *mur-
muring* enemies, as grudging, and envying at the prosperity of the Church: *Malicious* enemies, as hating or hurting the service of God: *Proud* enemies, as *lifting up their heads against God*, *vers. 2*: *Crafty* enemies, as imagining how to beguile the Church. *Conspiring* enemies, as taking *counsel* together against God's *secret ones*, (as the Prophet calleth them,) that is, Gods servants & Ministers *v. 3*. & lastly, *Confederate* enemies, as combining themselves one by example of another, to persevere in their course of wronging and violating the Church. *vers. 5*. Yet for all this, those against whom the Prophet thus inveigheth, did not that they desired. They discovered their malicious purpose by word of mouth, saying, *Let us take to our selves the houses of God in possession*. But they only said it, they did it not. Their will was good, but their power failed. Our will and power have both prevailed, for we have got the *houses of God into our possession*: his Churches, his lands, his offerings, his holy rights: we have gotten them, and lead them away captive, bound in chains of iron; that is, so conveyed and assured unto us, by Deed, by Fine, by Act of Parliament, as if they never should return again unto the Church. But hear what *David* saith to those of his time. Mark how he prayeth for them. Mark what strange and exquisite punishments he designeth to them, and

that in as many several sorts, as there are several branches in this kind of sin.

First, he prayeth, that God would deal with them, as he did with the *Madianites*, *vers* 9. That is, that as *Gideon* by Trumpets, and Lamps, strook such a terror in the night time, into the hearts of the *Madianites*, that the whole Army fell into confusion, drew their swords one upon another, were discomfited, and 120 thousand of them slain. So that God by his Trumpets, the Preachers of his word; by his Lamps, which is, the light of the Gospel, would confound in like manner the enemies and spoilers of his Church, that sleep in the night of their sin: and that he would make them like, *Oreb*, and *Zeb*, like *Zeba* and *Salmana*: *vers* 11. all which were strangely overthrown, died violent deaths, and being glorious Princes of their Nations, became like the filthy and loathsome *Dung of the Earth*. *vers* 10. And *Judges*. 7. 25. and 8. 21.

But doth the Prophet stay here? no, he goeth on with them: *O my God*, saith he, *make them like a wheele*. *vers* 13. that is, wavering and unstable in their actions, so as they may never bring their purposes to an end. Yea, make them abject and contemptible, *like the chaffe that the wind scattereth from the face of the Earth*. *vers* 13. Well, is he now satisfied? no. All this doth but whet his spirits to sharper imprecations. He now desir-
eth

reth that the very foudgates of Gods wrath may be broken open upon them, and that the Tempest of his indignation may rage at full against them: now he crieth out to God to consume them without mercy, yea, and that in two terrible manners. One naturally, *As the fire burneth up the wood:* The other miraculously, *As the flame consumeth the mountaines: vers. 14.* Persecute them even so, (saith he) *with thy tempest, and make them afraid with thy storm. Make their faces ashamed, O Lord, that they may seek thy name. Let them be confounded and vexed ever more and more, let them be put to shame and perish. vers. 15, 16, 17.* How should the wit of man discover and prosecute a sin in more vehement and horrible manner? Or, what shall make us to abstain from such haughty sins, if all this prevail not? Well, if to take the houses of God into possession be thus, take them that will for me.

You see how *David* in this his sacred fury, was admirably carried against this sin. Well therefore might he say, *The zeal of thy house hath eaten me up, Psal. 69. 9* Yet, he speak it not of himselfe alone, but in the person also of our Saviour *Jesus Christ*; who in prosecution of *David's* zeal, did that in this case, that he never did at any time else in all his life. In all other cases he shewed himself like the Paschal

The zeal of our Saviour to the house of God: and of the parts of the Temple.

Lamb

Lamb, that every body did eat, and devour at pleasure; and like the sheep that was dumb before the Shearer, even when his very life was taken from him. But when he saw the Golden fleece to be taken from the *house of God*, that is, when he saw the Church his beloved *spouse*, deprived and spoiled of the honour, reverence duty, and ornament, that belonged to her: Then, as *David* did, he grew into a sacred fury; he leaveth the mildnesse of the Paschal Lamb, and taketh upon him the fiercenesse of the Lion of *Judah*. Then he beginneth to bestir him, and to lay about him: he whippeth out them that prophaned it, driveth out their sheep, and their oxen, though they were for the sacrifice, and overthroweth the Tables of the Money-changers: *John* 2. 14. † He would by no means indure such Trumpery to be in his Fathers house, nor his Fathers house to be made an house of Merchandise; but, much lesse then, that merchandise should be made of his Fathers house it self. O fearful and most inhumane sin! *Horresco referens.*

But ere I depart from this place of Scripture, let me note one thing more out of it, for the greater reverence of Churches: That although our Lord be here said, to have cast these things out

† Mat. 21. 12. Mar. 11. 17. Luk. 19. 45.

of the Temple; yet in truth, they were not in the Temple it self, but in the outward court or yard thereof. For within the inward parts of the Temple, (namely, the first and second Tabernacles) did no man enter , but the *Levite Priests* : and of them also, none into the second Tabernacle, but the High Priest. † Therefore, although our Saviour Christ were a Priest for ever after the order of *Melchisedeck*, yet because he was not a Priest of *Levi*, but of the Tribe of *Juda*, (of which Tribe *Moses* spake nothing touching the Priesthood, *Heb.* 7. 14.) I take it, that he never ^a came within these parts of the Temple, nor where the sacrifice was, but frequented onely ^b *Atrium populi* the outward Court from the Temple. For into this onely the ^c people resorted, to worship, pray, and hear the word of God expounded, not pressing farther towards the Temple; and in the midst

† Numb. 18. 5. *Hebr.* 9. 2, 3, 4. 5. ^a Christ came to fulfill the Law not to break it, Therefore (doubtless) he observed the rules thereof, and the quality of his Tribe.

^b See the form of the Temple in *Arius Montan. Antiquit. Judaic.* l. *Ariel*, and in the Geneva Bible, 1 *King.* cap 6 and mark well both it, and the notes upon it; for I find them (above others) most agreeable to the Scriptures: and rely not upon the figure of the Temple in *Adrianus* without good examination; for I perceive he hath misplaced some things therein. ^c See the note (3) among the notes aforesaid.

where-

whereof the Brazen † Stage (which *Solomon* prayed upon) was erected. Yet this very place, this court or outward yard, would not our Saviour permit to be prophaned, neither with Market matters, nor with carrying so much as a burthen or vessel through it, *Mar* 11. 16 For though it were not so *Leuitically* holy, as the Temple, yet it was dedicated to God with the Temple, and taken often in the new Testament for the Temple, as in the places before alledged, and *Acts* 3. 2, 3. By which reason the very Church-yards themselves (being dedicated with the Churches, and the principal soil thereof, a as an old Statute witnesseth) seem also to have in them a certain kind of *Sanctification*, and are not therefore to be abused to secular and base employments; as not onely the Ancient Fathers, by the Canons of the Church, but the present Laws of the Land have well provided for them.

10. But some will say, that the *Sanctification* of the Temple was *Leuitical*, and therefore abolished, and not to be applied to our Churches. I answer, the Temple was sanctified unto three *Sanctions*, which also had three several places assigned to them. The first, belonged to the *Divine pre-*

† 2. Chron. 16. 12. a Stat. Ne Rectors prosteruant arbores in Cemeterio. † More of the matter, and how far the sanctification of the Temple is abolished, or remaineth to our Churches.

sence, and had the custody of the *Holiest Tythes* thereof, the *Oracle*, the *Ark*, the *Mercy-seat*, &c. and was therefore called *Sanctum Sanctorum*, or the *Holiest of all*. The *second*, was for *ceremonial worship* and *atonement*; namely, by sacrifice, oblations, and other *Levitical* rites; the place thereof being the *Sanctuary*, (wherein were the *Holy vessels*,) and the *Court of Priests*, wherein the *Altar of burnt sacrifice* did stand. The *third*, was for simple worship, prayer, and doctrine, (without any pomp or ceremony:) and the place of this was the *outward Court*, (called, ^a *Atrium populi*, and ^b *Solomons Porch*,) which therefore had in it no *Ceremonial* implement at all.

The *two* first of these *Functions*, with the place belonging to them, were indeed particularly appropriate to the Law. For they were *Ceremonial*, *Mystical*, *Secret*, *Levitical*, *Judaical*, & *Temporal*. *Ceremonial*, as celebrated with much worldly pomp. *Mystical*, as figurating some spiritual things. *Secret*, as either performed behind the *Veile* or *Curtain*, or else sequestred and remote from the people. *Levitical*, as committed onely to the administration of that *Tribe*. *Judaical*, as ordained onely for the salvation of that people. And *Temporal*, as instituted onely for a season, and not to continue. But the *Sanctification* of the third

^a 1 Chri 4. 9 and 6. 12. ^b Acts 21. 1.

function, and of the place thereto appointed, was directly contrary in all the points alleadged to the former two. *First* (as I said before) it was for *simple worship*, *Prayer*, and *Doctrine*, which were there to be performed and delivered in all *sincerity*, without any *ceremony* or *ceremonial* implement used therein. *Secondly*, there was no matter of *mystery* therein to be seen; but whatsoever was *mystical* in the Law; or the Prophets, was there expounded. *Thirdly*, nothing there was hidden or secret from the people; but acted wholly without the *Veile*, and publicly for every man. *Fourthly*, it was not appropriate to the *Levites*, but common alike to all the Tribes. *Fifthly*, not ordained for the *Jewes* particularly, but for all Nations in general. And *lastly*, not to endure for a time, (as those other two of the law) but to continue for ever; even after the *Gentiles* were called, as well as the *Jewes*: that is, during the time of the Gospel, as well as the Law. Therefore saith God, by *Isaias* the Prophet, *cap. 56. 7.* *My house shall be called an house of Prayer to all Nations.* He said not, *an House of Sacrifice to all Nations*: for the *Sacrifice* ended before the calling of the *Gentiles*, and so they could have no part thereof. Nor *an House of Prayer* for the *Jewes* onely, for then had the *Gentiles* (when they were called) been likewise excluded: But *an house of prayer to all Nations*, that is, *Jews & Gentiles* indifferently

which

which therefore must have relation to the times of the *Gospel*: & consequently, the *sanctification* of that house, and of that *function*, is also a *sanctification* of the Churches of the *Gospel*.

We read not therefore, that Christ reformed any thing in the other two functions of the *Temple*, for they were now as at an end. But because this third Function was for ever to continue to his Church, therefore he purgeth it of that that prophaned it; restoreth it (as he did marriage) to the original sanctity: and that the future world (which was the time of the *Gospel*) might better observe it, then the precedent, and the time of the Law had done, he reporteth, and confirmeth the decree, whereby it was sanctified: *It is written* saith he, (as producing the record and words of the Foundation) *My House shall be called an house of prayer to all people*: He saith, *My house*; as excluding all other, from having and property therein; for God will be Joynt-tenant with no man. And it shall be, *An house of prayer for all people*: that is, publick for ever; not private; nor appropriate to any: not a *Den of thieves*; that is, no place of Merchandise, or secular businesse; as Saint *Hierome* expoundeth it. It must not be an Impropriation; no man can, or may hold it in that kind.

The time also when our Saviour pronounced these words, is much to the purpose, as it seemed

84 *De non temerandis Ecclesiis.*

to me. For it was after he had turned out the oxen and doves, that is, the things for *Sacrifice*. As though he thereby taught us, that when the *Sacrificial* function of the Temple was ended, yet the *sanctification* thereof, to be an house of prayer, for ever remained:

Saint Paul 11. This doctrine of our Saviour, is maintained continued unto us by *Saint Paul*, who seeing the *Corinthians* to profane the Church with eating and drinking in it: though much good might follow thereby, (being orderly done,) as the increasing of amity, and the relief of the poor; yet because it was against the reverence of the place, he not onely reproveth them for it, demanding if they had not houses to eat and drink in at home, but scaring them also (by shewing the danger they were fallen into) he speaketh to them as with admiration, *Despise ye the Church of God?* † As if he should say, Is your Religion now come unto that? or, Is that your Religion, to despise the place that God hath sanctified unto himself? by making it, as *St. Hierome* saith, † *Triclinium epularum*, a banqueting house? God wondered in *Malachy*, that any should spoil their gods: And the holy Ghost here wondereth, that any should despise the material Church: for so *Saint Hierome* expoundeth it. Thus both of them wonder at one and the same thing, that any man should be so irreligious, as to profane the reve-

† 1 Cor. 11. 22. † *Comment.* 19 1 Cor. 11.

ence due unto God, and that that is his.

12. So precise therefore were the ^{The zeal of} Ancient Fathers in this point, that ^{some of the Fa-} that meek Saint of God, Saint An- ^{thers to the} gustine, would by no meanes endure ^{Church.} that any should use any clamours, or dancing within the verge of the Church. Yea, he termeth them, † *Miserable and wretched men that did it*: And denounceth against them, that *If such came Christians to the Church, they went Pagans home.* But when the Church it self came to be abused, Oh, how Saint Ambrose taketh it, even against the Emperour himself, great Valentinian, that required it for an Arrian. O (saith he) *let him ask that is mine, my lands, my goods, and whatsoever I possesse, I will not deny them; yet are they not mine, but belong to the poor.* ^a *Verum ea quæ divina sunt,* &c. saith he, *but those things that are Gods, are not subject to the authority of the Emperour. If my lands (I say) be desired, enter them a Gods name; if my body, I will carry it him; if he will have me to prison, yea unto death, it pleaseth me well, I will not defend my self with multitude of people, neither will I fly to the Altar, desiring my life, but with all my heart will die for the Altars.* And after, in speaking of the impious Souldiers: ^b *O that God* (saith he)

† *Serm. de temp. torn. 10. 234. a Ad Marcellinum fororami*
Epist. 33. ^b *In fine ejusdem Epist.*

would turn their hands from violating the Church, and then let them turn all their weapons upon me, and take their fill of my blood. And many such excellent speeches he hath for the sanctity of the Church, and of the reverence due unto it, in his Oration, *De Basilicis tradendis*.

My purpose is to be short; I will not therefore now enter any further into the authorities of the Fathers, or meddle with the Councils and ancient Canons of the Church, which abound so in this kind of zeal, & have established it (against the *Eustathians*, *Messalians*, and *Fratricelli*, ^a hereticks; and all other the enemies thereof with so many examples, admonitions, exhortations, precepts, threatnings, curses, and excommunications, as it requireth a book alone to repeat them.

13. It seemeth a small thing to *Sacrilege* not to be suffered in the Church-yard, or to eat and drink in the Church. But *sanctification* (saith *Hierome*, ^b speaking on this matter) consisteth also even in the small things. Therefore *Ecclesiasticus* ^c adviseth us, that we give not the water passage, no not in a little. For he that openeth the waters but a little, knoweth not how great a breach they will make at length. So it is to make an entrance into sin, or to break

^a Hereticks which contemned Churches. ^b Comment. in 2 Cor. 11. 22. 10m. 9. ^c Eccles. 25. 27.

the reverence of holy things in trifles.

Therefore God punisheth severely the petty offenders in this kind: not *Co-rah* onely, and his company, that invaded the high function of the Priesthood, but even him that gathered the sticks on the Sabbath day. *Num. 15 34.* And poor *Uzzah* himself, (whom *David* so much lamented) that did as it were but stay the *Ark* from shaking, (*2 Sam. 6. 6.* and *1 Chron. 13. 9.*) and yet dyed for it, because his hand was not sanctified to that purpose.

14. I conclude this point with *An admonition* the laying of *Solomon*, *Prov. 20. 25.* *to them that meddle with holy things.* (and let all men consider it:) *It is a snare for a man to devoure that which is sanctified, and after the Vows to enquire.* A Snare hath three properties. First, to catch suddenly. Secondly, to hold surely. Thirdly, to destroy certainly. So was *Uzzah* taken ere he was aware: he did but touch the *Ark*, and presently he was catch'd. King *Uzziah* did but meddle with the incense, and presently the Leprosy was on his face: *2 Chron. 26. 19.* *Ieroboam* did but stretch out his hand against the Prophet, and presently it withered. *1 King. 13. 4.* And as a man falleth suddenly into it, so is it hard to get out. *Uzzah* died in it presently. *Uzziah* languished in it all his life, and then died in it also. *Co-rah*, *Dathan*, and *Abiram*, were no sooner caught in this

snare, but it held them so surely, as when all *Israel* else fled and escaped, they, and their companions (most miserable men) were detained in it, to their notorious destruction.

I might here take just occasion to remember what hath happened to many in this Kingdom, that became unfortunate after they medled with Churches, and Church-livings. But I will run into no particularities: Let those men, and those families, which are *unfortunate*, (as we term them,) consider, whether themselves, their Fathers, or some of their Ancestors, have not been fettered in this snare.

And let the *Proprietaries* of Parsonages also well consider these things. For if *Uzzah* died, that did but touch the Ark to save it; what shall become of them that stretch out their hands against Churches to destroy them? If the *stick-gatherer* was stoned for so small a prophanation of the *Sabbath*; what shall they look for, that by destroying the Churches, destroy also the *Sabbath* it self, (in a manner,) as taking away the place appointed to the publick sanctification thereof. And if *Corah*, *Dathan*, and *Abiram*, offended so hainously, in meddling with the things of the Levitical Priesthood, though they employed them to the service of God: what have they to fear, that usurp the things of the Gospel, and pervert them wholly to their own use, from the service of God?

God? Yea, that pollute his Churches and house^s of prayer to servile and base offices: leaving the Parishioners uncertainly provided of divine service, to the destruction both of the Priesthood it selfe, and of the word of God in generall.

15. But they will comfort themselves *A surmise* with this: that though the Churches be *answered*, sanctified to some purpose, yet the sanctity thereof differeth from *Levitical sanctification*: and that God doth not now kill any from heaven, for prophaning the things of the Gospel, as he did then, for prophaning the things of the Law. I answer: The sanctity indeed of the one, differeth from the sanctity of the other. For the *Levitical* things were sanctified by the hand of man, to be a matter of Ceremony, but the Churches of the Gospel, are sanctified by our Saviour himselfe to be houses of prayer: Not that prayer is to be used only in these places, but that these places are only to be used for prayer. And we must not presume that God sleepeth because he punisheth not (now as he did of old) the contemners of his worship. For as the law consisted in visible, and temporall things, so the punishments therein, were for the most part, visible and temporall, But the Gospel concerneth things invisible, and eternall; and therefore the punishments assigned therein, are for the most part invisible & eternall.

16. They

*Another sur-
mise answered.*

I 6. They have also another com-
fort, and that is, that though these
things were once Spiritual, now they are made
temporall by the Lawes of *Dissolution*; and espe-
cially by the *Stat. of 32. H. 8. cap. 7.* It is true,
that those Statutes apply divers Law termes unto
these things that properly belong to temporall
inheritances: and that the Statute of 32. H. 8.
hath made them *demandable* by originall Writs,
and hath given certain reall actions, and other
courses for recovering and conveyng of them in
Temporall Courts: because Lay-men could not
in former times have sued for things of this nature
in any Court of the Kingdome. But this proveth
Differo non not the things themselves to be there-
affero. fore temporall, (no more then that an
English man is a French man, because he saileth
in a French bottom.) For upon the same reason
the Statute giveth also other actions (for recover-
ing of *tithes* and *offerings* withholden, &c. in the
Courts spiritual: They then that out of the one
part of the *Statute* will have them temporall, are
by the other part inforced to confesse them still
Spiritual, and so to make them like a Centaure,
problem bisformem. It were very hard (in my un-
derstanding) to ground a point of so great conse-
quence, upon, subtilty of words, and ambiguous
implications, without any expresse letter of Law
to that purpose, especially, to make the Houses
and

and offerings of God, *temporal* Inheritances. But I see it is a Law question in my Lord^a *Dier* whether *tithes* be made Lay or Temporal, by any word in those Statutes. And therefore^a I must leave this point to my Masters of the Law, who have the key of this knowledge only in their owne custody. Yet I thinke I may be so bold, as to say thus much out of their own^b books, that *a Statute directly against the Law of God, is void*. If then *Tithes* be things spiritual, and due *de jure divino*, as many great^c Clarks, Doctors, Fathers, some Councells, and (that ever honourable Judge and Oracle of Law) my Lord *Coke* himsele, in the second part of his^d Reports assume them to be; I cannot see how humane laws should make them Temporal. Of the same nature therefore that originally they were of, of the same nature do I still hold them to continue: for *manente subiecto, manet consecratio, manet dedicatio*. Time, Place, and Persons, do not change them, as I take it, in this

^a Term. Pas. An. 7. Edw. 6. *Assise* fol. 83. b. b *Doll- & Stud.* cap. 6. c See *Aug. Ser.* 219. de Temp. *Hospi.* enf. and most Canonists.

Concil. Montisc. 2. cap. 50. *Concil. Mogunt.* cap. 38. alias 10. &c.

^d *Disines* sont choses spirituell, and due, de jure divino, Le *Evesque de Winch.* case fol. 45.

case ^a *Nebuchodonozor* took the holy vessels of the Temple, he carried them to *Babylon*, he kept them there all his life, and at last left them to his son and grandchildren: but all this while, the vessels still remained *holy*. Yea though they were come into the hands of those that were not tyed to the Ceremonies of the Law, and at length into the hands of them that had them by a lawfull succession from their Fathers, and Grandfathers: yet as soon as they began to abuse them to prophane uses; that very night *Belchazzar* himselfe died for it, the line of *Nebuchodonozor* (that tooke them from the Temple) was extinct, and the Kingdome translated to another Nation: *Dan*. 5. 2.

A third *far-
mise answered.* 17. Happily also, *Lay Appropriaries* comfort themselves that they may hold these things by example of Colledges, Deanes, and Chapters, Bishops of the land, and of divers of our late Kings and Princes. Before I speak to this point, I take it by protestation, that I have no heart to make an Apology for it. For I

^a Nescio quo fato fit; ut eadem temporis periodo (viz. an. 68) post ereptas res Nebuc. & H. 8. res templorum, stirps utriusque regia extincta sit, imperium sublatum, & ad aliam gentem devolutum. Ulterius igitur speremus, Cyrum nostrum Jacobum regem (qui scestra dissidentia compefcuit) restitutionis etiam minoris aliquando aggressurum.

with that every man might drink the water of his own well, eat the milk of his own flock, and live by the fruit of his own vineyard. I mean, that every member might attract no other nutriment, but that which is proper to it selfe. Yet are they greatly deceived, that draw any juice of encouragement from these examples. For all these are either the Seminaries of the Church, or the Husbandmen of the Church, or the Fathers and Nurses of the Church: all *de familia Ecclesie*; and consequently, belonging to the care of the Church & ought therefore to be sustained by it: for *S^t Paul* saith, *He that provideth not for his own, and namely, for them of his house-hold, he denieth the faith and is worse then an Infidell.* 1. Tim. 5. 8. ^a Therefore before the statutes of suppression of Abbies, those that were not meere Ecclesiastical persons, yet if they were mixt, or had Ecclesiastical jurisdiction, they might by the Laws of the Land, participate Ecclesiastical livings, and ^b *Tithes* particularly. And this seemeth to take some ground out of the word of God. For the provinciali *Le*

^a All Church revenues were at first paid to Bishops, & by them distributed to the Priests, poor, &c. after the Bishops were to have a fourth part of all tithes. *Per Convil. Aurelian. Magnat. Tribur. Hanct. &c. Et per Conc. Tarracon.* the third part. ^b *Plowd. in Quare imp. Grend. L. Coke Report. part. 5. fol. 15.*

vites (as I may term them) whom ^a David severed from the Temple, and placed abroad in the Country to be rulers of the People, in *Matters pertaining to God, and the Kings businesse*, (that is, Spiritually and Temporally:) had their portions of *riches* notwithstanding, as well as the other *Levites* that ministred in the Temple. Now, that the King is ^b *Persona mixta*; endowed as well with Ecclesiasticall authority, as with temporal; is not only a solid position of the common Law of the Land, but confirmed unto us by the continual practise of our ancient Kings, ever since, and before the Conquest, even in hottest times of Popish servency. For this cause at their Coronations, they are not onely crowned with the Diadem of the Kingdome, and girt with a sword of Justice, to signifie their Temporal authority, but are anointed also with the oyle of Priesthood, and clothed, *Stola Sacerdotalis*, and *veste a Dalmaticâ*, to demonstrate this their

^a 1. Chr. 26. 30. 32. ^b See Plowd. in Quær. Imp. Gen. Et L. Coke de Jure Regis Eccles. part. 9.

^c Reges sacro oleo uncti, sunt spiritualis jurisdictionis capaces 33. Ed. 3. tit. Aide de Roy 103. Ex Dom. Coke Repor. part. 9. ^d Dalmatica est vestis qua modo utuntur omnes diaconi ex consuetudine in solennitatibus: ut 70 distin. de junio. Antiquitus tamen, sine concessione Pape, nec Episcopis. nec Diaconis licebat uti hac veste. Distin. 23. cap. communis filius.

Ecclesiasticall jurisdiction, whereby the King is said in the Law to be *Supremus Ordinarius*, and in regard thereof, amongst other Ecclesiasticall rights, and prerogatives belonging unto him, is to have all the *Tithes* (through the Kingdome) in places that are out of any Parish, for some such there be, and namely, divers *b* Forrests. But for all this: O ! that his Majesty would be pleased to remember *Sion* in this point.

18. * I grow too tedious, yet before I close up this discourse, let me say one thing more to the *Appropriaries* of Churches, that happily they hitherto have not dreamed of. And that is, that by having these Parsonages; they are charged with Cure of Souls; and make themselves subject to the Burthen that lieth so heavily upon the head of every Minister: to see the service of God performed, the people instructed, and the poor relieved. For to these three ends, and the maintenance of Ministers, were Parsonages instituted, as not only the Canons of the Church, but the bookes of the Law, and particularly, the Statutes of 15. R. 2. cap. 6. And 4. H. 4. ca. 12. do manifestly testifie. And no man may have them but to these

a 22. Edw. 3. lib. A. fol. 75. L. Coke par. 5. fol. 15. a.

b As Ingelwood. &c. in statet an. 13. Edw. 1. in ver petitiones coram domino Rege ad Parliamentum.

* The danger that Proprietaries of Parsonages stand in.
purpo-

purposes, neither were they otherwise in the hands of Monastical persons, nor otherwise given to the King by the statute of dissolution, then ^a in as large and ample manner as the governours of those Religious houses had them, nor by him conveyed otherwise to the Subjects. For, ^b *Nemo potest plus juris in alium transferre, quam ipse habet*: No man may grant a greater right unto another, then he hath himselfe. And therefore go where they will, *transseunt cum onere*, they carry their charge with them. Upon these reasons Proprietaries are still said to be Parsons of their Churches; and upon the matter, are as the incumbents ^c thereof, and the Churches by reason of this their incumbency-are full, and not void. For otherwise the ^d Bishop

^a See the extent of these words in L. Coke part. 2 fol. 49. And note also that Parsonages appropriate, are not mentioned in that Statute of 27. H. 8. and the word *Tithes*, there seemeth to be meant of *tithes* belonging to the bodies of the Monasteries; not of Parsonage *tithes*. *Idco quare* how the King had them before the Statute of 31. Regni sui. ^b *Parson impersonae*. ^c For the Monastical parsons and Prioresse themselves that could not perform the divine service, were notwithstanding the Incumbents of their Churches: and lay Appropriaries claiming under their right ought also to be subject to the same burthens. ^d There is yet no expresse law made to take away the Bishops jurisdictions over Churches appropriate, (that I can find.) *Idco quare* how it extendeth.

might

might collate, or the King present a Clerke (as to other Churches) as it seemeth by the arguments of the Judges in the case between *Grendon* and the Bishop of *Lincoln* in Master *Plowden's Comment*, where is also shewed, that the incumbencie is a * spirituall function, and ought not to be conferred upon any but spirituall persons, and such as may themselves do the divine Service, and minister the Sacraments. Therefore *Dier. L.* Chief Justice of the Common Pleas, there said, that *it was an horrible thing*, when these Appropriations were made to Prioreesses and houses of Nunnes, because that (although they were religious persons, yet) they could not minister the Sacraments and divine Service. Implying by this speech of his, that it was much more horrible for Lay-men to hold them, that neither could do these holy rights, nor were so much as spirituall persons to give them colour for holding of spiritual things. Therefore he that enlarged the † *Terms of Law* (first set forth by *John Rastall*) also termeth it a *Wicked thing*, complaining (in his time) that it continued so long, to the hindrance (he saith) of *Learning*, the impoverishing of the *Ministry*, and to the infamy of the *Gospel*, and professors thereof.

* See *Dier. Trin.* 36. H. 8. fol. 58. pl. 8.

† *Terms of the Law* in verbo *Appropriation*.

98 *De non temerandis Ecclesiis.*

*Beneseque
de illius
cheffers
case el.
44. b*

My Lord Coke also in the second part of his *Reports*, saith, that it is recorded in History, that there were (amongst others) two grievous persecutions, the one under *Dioclesian*, the other under *Julian*, named the Apostata: for it is recorded, that the ^a one of them intending to have rooted out all the Professors and Preachers of the word of God, *Occidit omnes Presbyteros*. But this notwithstanding, Religion flourished, for *Sanguis Martyrum est semen Ecclesie*: The blood of the Martyrs is the seed of the Church, and this was a cruell and grievous persecution, but the persecution under the ^b other, was more grievous and dangerous. *Quia* (as the History saith) *ipse occidit presbyterium*, He destroyed the very order of Priesthood. For he robbed the Church, and spoiled spiritual persons of their revenues, and tooke all things from them whereof they should live. And upon this, in short time, insued great ignorance of true religion, and the service of God, and thereby great decay of Christian profession. For none will apply themselves or their sons, or any other that they have in charge, to the study of Divinity, when after long and painefull study, they

^a *Diocles.* vide *Ensebj. hist. Eccles. l. 7. c. 3. Niceph. l. 7. c. 3.*
^b *Jul.* vide *Theod. hist. lib. 3. cap. 6. & Niceph. lib. 10. cap. 9.*

shall have nothing whereupon to live. Thus far my Lord Coke.

I alledge these legall authorities, and leave Divinity, because the *Appropriaries* of Parsonages (which shield themselves under the target of the Law) may see the opinion of the great Lawyers of our own time and Religion, and what the books of the Law have of this matter, to the end, that we should not hang our consciences upon so dangerous a pinne, nor put too great confidence in the equity of Lawes, which we dayly see, are full of imperfection, often amended, often altered, and often repealed. O! how lamentable then is the case of a poor *Proprietary*, that dying, thinketh of no other account, but of that touching his *Lay vocation*, and then coming before the judgment seat of Almighty God, must answer also for this *a spiritual function*. First why he meddled with it, not being called unto it: Then, why (* meddling

a It is said in my L. *Dier.* in the case of a common person, that the service or a Cure is a spiritual administration, and cannot be leased, and that the service is not issuing out of the parsonage, but annext unto the person 36. H. 8. fol. 53. b. pl. 8. * *Proprietaries* which have *Vicars* endowed think themselves, thereby discharged, but though the Vicar be the Parsons deputy to do the divine Service, yet a superiour care thereof reflecteth still upon the Parson himself, & the surplussage of the profits belongeth to the poor, as appeareth by the whole body of Fathers, Doctors, Counsellors, &c.

with it) he did not the duty that belonged unto it, in seeing the Church carefully served, the Ministers thereof sufficiently maintained, & the poor of the Parish faithfully reliev'd. This I say, is the use where to Pa sonages were given, and of this use we had notice before we purchased them: and therefore, not only by the Laws of God and the Church, but by the Law of the Land & the rules of the Chancery (at this day observed in other cases) we ought only to hold them to this use, and no other.

19.† It is not then a work of bounty & benevolence to restore these appropriations to the Church, but of duty & necessity so to do: it is a work of duty to give that *unto God that is Gods*, *Mat. 22.2.* And it is a work of necessity towards the obtaining remission of these sins. For *S. Austine* saith, a *Non remittitur peccatū, nisi restituatur ablatū cū restitui potest: The sin shall not be forgiven, without restoring of that which is taken away, if it may be restored.*

It is duty, justice, and necessity, to give them back unto God. For if *Judas* (who was the first president of this sin) were a thiefe as the holy Ghost *b* termeth him, for imbeasiling that which was committed unto him for the maintenance of Christ and his Disciples, that is of the Church: by the same reason, must it also be the very to withhold these things which were given for the main-

† That it is not benevolence but duty to restore the Church Livings. *a Ad Macedonium Epist. 54. 10m. 2.* *b Joh. 12.6.*

tenance of the Church and Ministers of Christ
And herein it is a degree above that sin of *Judas*,
as robbery is above theft, for *Judas* only decained
the money (delivered unto him) cloely and se-
cretly, but we & our fathers, have invaded Church
livings, and taken them (as it were by assault) even
from the sacred body and person of the Church.

It is a great sin to steal from our Neighbour;
much greater (even sacriledge) to steal from God.
If it were so heinous a fact in *Ananias* to withhold
part of his own goods, which he pretended he
would give unto God, how much more is it in us,
presumptuously to reave that from God, that o-
thers have already dedicated and delivered unto
him. *Solomon* saith, *He that robbeth his Father and
his Mother, and saith it is no sin, is the companion of*
[a murtherer, or] *him that destroyeth.* But he that
purloineth the things of God, robbeth his Father,
and he that purloineth the things of the Church,
robbeth his Mother. And therefore that man is a
companion of the destroyer.

The * Fathers, Doctors, many great Councils,
and ancient Lawes of the Church, command that
things taken from the Church, should be restored.

1 *Prov.* 28. 24. * *Synod.* 5. *Rom.* 2. 18. *Episcop.* *An.* 503.
Conc. *Vat.* *An.* 855 *ca.* 9. *Con.* *Rom.* 100. *Epif.* *An.* 1763. *Conc.*
Rom. 5. *Anno* 1078. *Conc.* *Palen.* *An.* 1383. *Conc.* *Oxon.* *Gene.*
Aug. *Anno* 1222.

And the Church by her ^a Preachers and Ministers continually entreateth, urgeth, and requireth all men to do it. They therefore that do it not, they refuse to hear the Church: And then our Saviour Christ, by his own mouth, denounceth them ^b to be as Heathens and Publicans, that is, excommunicate and prophane persons. *If he refuseth* (saith our Saviour *to hear the Church also, let him be unto thee as a heathen man, and a publican* Mat. 18. 17.

It is a fearful thing not to hear the ^c Church, but much more, not to hear Christ himself: Christ hath given us a perpetual law & Commandment, touching things belonging to God, *That we should give them to God.* If we break this Law, we break a greater Law then that of the *Medes*, and the *Persians*: and therefore mark what the holy Ghost concludeth upon us; *Every person that shall not hear this Prophet* (Christ Jesus) *shall be destroyed out of the people.* Act. 3. 23.

20 To conclude then, as the *Philistians* The con. made hast to send home the ^c Arke of clusion. God, and the *Egyptians* to ridde them

a strange change: the *Israelites* gave their own goods so abundantly to the service of God, that *Moses* was forced to restrain them by proclamation. *Exod.* 36. 5. but now nothing can move us to give God that which is his already.

^b *Qui sub nomine fidelium, agunt opera infidelium.* Hieron. *ibid.* ^c We think the Church doth not command it, till we make a Parliament law for it, but the law is made already by Christ himself. *d* *Dau.* 6. 15. *e* *1 Sam.* 5. 11.

se've

selves of the people of God: so let us ply our selves to render unto God his Lands & Possessions with all speed. Otherwise, as he struck the *Philistians* with *Emruds* secretly, and the *Aegyptians* with manifold scourges openly; so only himselfe knoweth what he determined against us.

And thus I end, with the saying of the blessed Saint Cyprian^b, *Nec teneri jam, nec amari Patrimonium debes, quo quis & deceptus & victus est.* We must now neither hold that Patrimony, o living; (no) nor so much as take pleasure therein; whereby a man is entrapped and brought to destruction And with that other of the noble Saint Augustine^c; *With what face canst thou expect an inheritance from Christ in Heaven, that defraudest Christ in thy inheritance here on Earth? Therefore*

d Give unto *Cesar* the things that are *Casars*; and unto God the things that are Gods.

a *Exod. 12. 31.* b *Cyp. Ser. 5. de laps. in fin.*

c *Lib. de Her. cat. per. 15id.* d *Mat. 12. 7.*

F I N I S.



AN EPILOGUE.

PArde n me good Reader, though I have neither satisfied thee, nor my selfe, in this little discourse. It is hard to bring a great vessel into a small creek, an argument of many heads and branches, of much weight, variety, and difficulty, into a few pages. It may be thou thinkest the volume bigge enough for the successe, that Bookes of this nature are like to have. I reject not thy judgment, yet would I not have others thereby discouraged from pursuing this cause: for though † Peter fished all night and got nothing, yet he made a great draught unlocked for in the morning. He that directed that net, give a blessing to all our labours. For my own part (if I catch but one fish) I shall think mine well bestowed. Howsoever, it shall content me, and I thank God for it, that he hath girded me with so much strength as to strike one stroke (though a weake one) in his battel and to cast one stone (though a small one) against the adversaries of his Church.

Some will say, I have used too much salt and vinegar in this discourse, and that I have bent the great Artillery of Gods judgments and threatnings, upon

† Luke 5, 5, c.

a piece of too light importance. I would the consciences of men were such, as oyl and butter might supple them. But I see they are for the most part overgrown with so hard a carnosity, as it requireth strong and potent corrosives to make an entrance into them. A Preacher may shake them now and then with a Sermon, as ^aPaul did Felix, but when the thunder and lightning are ceased, they are (like Pharaoh) still where they were. Yea some have conscientias cauteriatas, as the ^bApostle termeth them, consciences seared with an hot iron: so stupified, that dead Lazarus may be raised, before they can be moved. But God knoweth the heart of man, and bringeth water out of the hard rock; therefore though I have spoken this (as being jealous of the cause) yet in charity I will hope better even of the hardest of them. Onely let no man thinke it a light sin, to keep open the passage, whereby the wild^c bore (of Barbarisme) enters the Lords vineyard, and whereby God is deprived of the honour due to his name.

Now at the parting, it may be thou desirest to know what successe this my labour had with the Gentleman to whom I sent it. In truth, neither that I desired, nor that which I promised unto my selfe. For (so it pleased God) that even the very day ^d the messenger brought it into Norfolk, the party died. Other-

^a Act. 24. 16. ^b 1 Tim. 4. 2. ^c Psal. 80. 13. Ps 96.

^d August. 16. 1613.

wile I well hoped, not to have shot this arrow in vain. But because it then missed the mark at which it was sent, (and many thought not fit to loose it,) I have now let it fly at random with some Notes and alterations, as the difference between private and publick things requireth: but still desiring that I might farther have shewed my mind in many passages hereof, (and particularly touching Tithes in quoto, and such Parsonages as have Vicarages well endow'd) which, without making it almost a new work, I could not do: and therefore resting upon thy courteous interpretation, I leave it to thee (for this time) as it is.



A SER:





A

SERMON of Saint *AUGUSTINES*,
touching rendring of Tithes.

The occasion of this Sermon or Homily was ministred unto him by the time of the year, it being the 12th. Sunday after Trinity, that is about the beginning of Harvest. The Scripture that he setteth unto it is the 18 of Luke. Where the Pharisee boasteth of his precise justice in payment of Tithes. It is 219 Sermon de Tempore, extant in the tenth tome of his works, and there entituled,

De reddendis Decimis.

BY the mercy of Christ (*most beloved brethren*) the dayes are now at hand, wherein we are to reap the fruits of the earth: and therefore giving thanks to God that bestoweth them, let us be mindful to offer, or rather to render back unto him the Tithes thereof. For God that vouchsafeth to give us the whole, Decc. 16. quaest. 1. cap. Decimæ. vouchsafeth also to require back again the Tenth, not for his own, but Where you may see a great part of this Sermon cited for for our benefit doubtlesse. For so Augustines. hath he promised by his Prophet, saying,

saying, *a* Bring all th: Tythe into my Barnee, that there may be meat in my house, and trie me, saith the Lord, in this point, if I open not the windows of heaven unto you, and give you fruit without measure. Lo, we have proved how Tithes are more profitable unto us, then to God. O foolish men! What hurt doth God command, that he should not deserve to be heard? For he saith thus: *The first Fruits of thy threshing floor, and of thy Wine-presse thou shalt not delay to offer unto me.* *b* If it be a sin to delay the giving, how much worse is it not to give at all? And again he saith. *Ho-16. Quest. 1. nour the Lord thy God with thy just labours, and offer unto him of the fruits of thy righteousness, that thy barnes may be filled with wheat, and thy Presses abound with wine.* *c* Thou dost not this for Gods ha'mercy, that by and by shalt receive it again with manifold increase. Perhaps thou wilt ask, who shall have profit by that; which God receiveth, to give presently back again? And also thou wilt ask, who shall have profit by that which is given to the poor? If thou believest, thy self shall have profit by it; but if thou doubtest, then thou hast lost it.

Tithes (dear Brethren) are a tribute due unto the *needy souls*. Give therefore this tribute unto the *poor*, offer this sacrifice unto the *Priests*. If thou hast no Tithes of earthly Fruits, yet what.

a Mal. 3. 10. *b* Exod. 22. 29. *c* Prov. 3. 9.

soever

soever the Husbandman hath, whatsoever Art
 sustaineth thee, it is Gods, and he requires *Tithe*,
 out of whatsoever thou livest by; whether it be
 Warfare, or Traffick, or any other Trade, give him
 the *Tithe*. Some things we must pay for the
 ground we live on, and something for the use of
 our life it self. Yeeld it therefore unto him (*O man*)
 in regard of that which thou possessest; yeild it I
 say, unto him, because he hath given thee thy
 birth: for thus saith the Lord, ^a *Every man shall*
give the redemption of his soul, and there shall not be
amongst them any diseases or mishaps. Behold, thou
 hast in the holy Scripture the cautions of the Lord
 upon which he hath promised thee, that if thou
 give him thy *Tithe*, thou shalt not onely receive
 abundance of Fruits, but health also of Body. *Thy*
Barnes (saith he) *shall be filled with wheat, and thy*
presses shall abound with wine, and there shall be in
them neither diseases, nor mishaps ^b. Seeing then,
 by payment of *Tithes*, thou mayest gain to thy
 self both earthly and heavenly rewards, why dost
 thou defraud thy self of both these blessings to-
 gether? Hear therefore (*O thou zeal-*
less mortality) Thou knowest that all ^{16.} *sub-*
 things that thou usest are the Lords, ^{1.} *decima*.
 and canst thou find in thy heart, to lend him (that
 made all things) nothing back of his own? The
 Lord God needeth not any thing, neither de-

^a Exod. 30.12. ^b Prov. 3.10.

mandeth he a reward of thee, but honour, he urgeth thee not to render any thing that is thine, and not his. It pleaseth him to require the *first-fruits*, and the *Tithes* of thy goods, and canst thou deny them, (*O covetous wretch?*) What wouldest thou do, if he took all the *nine* parts to himself, & left thee the *tenth* onely? And this in truth he doth, when by withholding his blessing of rain, the drought maketh thy thirsty Harvelt to wither away: and when thy fruit, and thy vineyard are stricken with hail, or blasted with frost, where now is the plenty, that thou so covetously didst reckon upon? The *nine* parts are taken from thee, because thou wouldest not give him the *Tenth*. That remaines onely that thou refuselt to give, though the Lord required it. For this is a most just courie, that the Lord holdeth, *If thou wilt not give him the tenth, he will turn thee to*

16. *Quest. 1. the tenth.* For it is written, saith the *ca. decime.*

Lord, *Inſomuch as the Tithe of your ground, the first fruits of your Land are with you: I have ſeen it, but you thought to deceive me: haveck and ſpoil ſhall be in your Treafury, and in your houſes.* Thus thou ſhalt give that to the unmerciful Souldier, which thou wouldest not give to the Priest.

The Lord Almighty alſo ſaith, † *Turn unto me, that I may open unto you the windows of Heaven,*

† Mal. 3. 10.

and

and that I may pour down my blessing upon you; and I will not destroy the fruit of your Land, neither shall the vines of your field, [or the Trees of your Orchards] wither away, [or be blasted] and all nations shall say, that you are a blessed people. God is alwaies ready to give his blessings, but the perversnesse of man alwaies hindreth him. For he would have God gave him all things, and he will offer unto God nothing of that, whereof himself seemeth to be the owner. ^a What if God should say? The man that I made is mine; the ground that thou tillest, is mine; the seed that thou sowest, is mine; the cattle that thou weariest in thy work, are mine; the showers, the rain, and the gentle winds are mine, the heat of the Sun is mine; and since all the Elements, whereby thou livest, are mine; thou that lendest only thy hand, deservest onely the *tithe*, or *tenth* part. Yet because Almighty God doth mercifully feed us, he bestoweth upon the labourer a most liberal reward for his paines, and reserving onely the *tenth* part unto himself, hath forgiven us all the rest.

Ingrateful and persidious deceiver, I speak to thee in the word of the Lord. Behold the year is now ended: give unto the Lord (that giveth the rain) his reward. Redeem thy selfe, O

^a This place is cited as out of *Aug. Conf. Triburicenf. c. 13.* An. 890. and before that in *council. Mogunt. an. 8. An. 874.* Man

Man, whilst thou livest. Redeem thou thy selfe whilst thou mayest. Redeem thy self (I say) whilst thou hast wherewith in thy hands. Redeem thy self, lest if greedy death prevent thee, thou then loose both life and reward together. Thou hast no reason to commit this matter over to thy wife, who happily will have another Husband. Neither hast thou (O woman) any reason to leave this to thy Husband, for his mind is on another wife. It is in vain to tie thy Parents, or thy kinsfolk, to have care hereof : no man after thy death surely shall redeem thee, because in thy life thou wouldst not redeem thy self. Now then, cast the burthen of *covetousnesse* from thy shoulders, despise that cruel *Lady*, who pressing thee down with her intolerable yoke, suffereth thee not to receive the yoke of Christ. For as the yoke of *covetousnesse* presseth men down unto hell, so the yoke of Christ raiseth men up unto Heaven. For *Tithes* are required as a
16. *Quasi* .i. debt, and he that will not give them, *ca. decimæ.*
 debt, and he that will not give them, invadeth another mans goods. And let him look to it, for how many men soever die for hunger in the place where he liveth, (not paying his *Tithes*,) of the murdering of so many men shall he appear guilty before the tribunal seat of the eternall Judge, because he kept that back to his own use, that was committed to him by the Lord for the *Poor*.

He therefore that either desireth to gain a reward, or to ^a obtain a remission of his sins, let him pay his *Tithe*, and be carefull to give almes to the *poor* out of the other nine parts; but so notwithstanding, that whatsoever remaineth over and above moderate diet, and convenient apparel, be not bestowed in riot and carnal pleasure, but layd up in the treasury of Heaven, by way of *Almes* to the *poor*. For whatsoever God hath given unto us more then we have need of, he hath not given it unto us particularly, but hath committed it over unto us to be distributed unto others: which if we dispose not accordingly, we spoil and rob them thereof. *Thus far Saint Augustine.*

T *Rasmus* in a general censure of these Sermons *de Tempore*, noteth many of them not to be *Saint Augustines*. So also doth Master *Perkins*, and divers other learned men, who having examined them all particularly, and with great advisement, rejecting those that appeared to be adulterate or suspected, admit this notwithstanding as undoubted. And although *Bellarmino* seemeth to make a little question ^b of it, yet he concludeth it to be, without doubt, an excellent work; and either *Saint Augustines* own, or some other ancient

^a Promereri. ^b Fortè non est Augustini iste sermo, tamen insignis est sine dubio, & antiqui alius patris, nam inde tantum ex Augustino multa sunt adscripta in decret. 16. q. 1. *Bellarmino*. lib. de Clericis. cap. 25.

Fathers. But he saith, that many things are cited out of it as out of *Augustine* in *Decret.* 16. q. 1. And to clear the matter farther, I find that some parts hereof are alleadged under the name of *Augustine*, in *Concil. Triburienf.* (which was in the year of our Lord 895) cap. 13. And twenty year before that also, in *Concil. Moguntin.* 1. cap. 8. So that Antiquity it self, and diverse Councils, accept it for *Augustines*.

I will not recite a great discourse to the effects of this Sermon amongst the works of *Augustine* in the Treatise, *De reſtitutione Chriſtiana religionis*; because *Erasmus* judgeth that Treatise not to be *Augustines*: Yet seemeth it likewise to be some excellent mans, and of great antiquity. But if thou wouldst hear more what *Augustine* saith unto thee of this matter, take this for a farewell; *Majores * nostri ideo copiis omnibus abundabant, quia Deo decimas dabant & Caesari censum reddebant: modo autem quia discessit devotio Dei, accessit, indictio fisci. Nolumus partiri cum Deo decimas, modo autem totum tollitur. Hoc tollit fiscus, quod non accipit Christus.*

An Appendix by the Author.

I Have been often sollicitated within these two years, both to reimprint this little Treatise, and also to

* *Homil.* 48. ex lib. 50.

publish a greater worke much of the same Argument. Some especial reasons have made me unwilling to do either. Not that I do aut clypeum abjicere, aut causam deferere; But I find my Arme too feeble for so great an attempt: and in matters of such weight and consequence, a better opportunity is to be expected, then is yet afforded. I desire therefore not to be hastned herein, though he that published my book in Scotland (out of his zeal to the cause) taketh that for one of his ^a Motives. When I first did let it goe forth, I did it onely in covert manner, not thinking it worthy of the broad eye of the World, nor holding it fit to have that which was done in a corner, preached upon the house top, or that which passed privately between me and my friend, to flie (in this sort at once) to both the Poles of the Monarchy. Hereupon I hitherto by entreaty withheld it from a Re-impression. But I being in the Countrie, and it being now to me as filius emancipatus, and out of my power, the Printer hath taken advantage of his libertie, and in my absence printed it again with the former infirmities.

I wish since it must needs be thus, that I had over-run it with a new hand, as well to explain it in some things, as to help and fortifie it in other. For the Argument hath many Adversaries, not of the Laity onely, but amongst the Churchmen themselves All are not pleased with this form of ^b Maintenance, others are not satisfied how it is due. Some

^a in his Epistle Dedicatory. ^b Inbes.

also conceive Scriptures in this manner, some in that. & where one is best pleased, there another findeth most exception Thus h. that cometh upon the Stage, is the Object and Subject of every mans opinion. Yet must I herein confesse my selfe beholding unto many: for I understand that this small Essay hath given them good liking.

To satisfie all I labour not, but to the worthier sort I would perform what I could. Being therefore performed (about a year almost since) that some particular Divines of learning and judgment, (conceiving well of my book) supposed that I had departed from the ancient & modern interpreters, in applying the 12. ver. of the 38. Ps. onely to the sanctified things of the Jewes, which (they said) was spoken of all their houles & cities in general. I did then unto them (as I thought it fit) reddere rationem & fidei & facti. And in like manner (because the book goeth forth again upon a new adventure, and may encounter with the like objections,) I held it now as necessary to adde something unto it in that point being so material. Yet must I signifie unto you, that they which took that exception, accounted both my argument and whole discourse the stronger (notwithstanding) exconsequente: as namely, that if it were so heinous a sin to invade the temporal things of the Jewes, much more must it needs be to invade the spiritual. So that no man is either freed or eased by this suggestion, but rather the more ensnared and overwhelmed.

ed. Nevertheless (I understand, that which followeth, hath cleared this point unto them : and I hope so shall it also do unto others (which separate not themselves from our Churches) if cause require.

I Am not ignorant that many modern and some Ancient Interpreters, understand the body of the 83 Psam. of the taking of the houses and Cities of the Jewes in general, not onely of the Temple and Synagogues, nor onely of the Cities of the Levites, for the very historical texture of the Psal'm discovers as much : But that branch of it, whereon I fastned my Anchor, and where I chiefly insilted, namely the 12 verse, touching the taking of the houses of God in possession, (which indeed is the center of the Psalm, what interpretation soever it receiveth most of them interpret it primarily and positively for the Temple and Holy things, then *per translationem* for Hierusalem, and by consequence, for all Judea, (and the people of God) in respect that they were there planted.

For though we following Genebrard, Calvin, and Arias Montanus, translate it literally, Take the houses of God in possession ; yet the Septuagint and Greeks interpret it τὰ ἀγίαζόντων τῷ θεῷ. And Hierom in the Vulgar Latin accordingly Sanctuarium Dei: in his other Translation called *Hebraica veritas*, (which also agreeth with that elder, cited by Lucius in the primer ages of the Church) *Pulchri-*

tuainem Dei, Pellican electissima, all of them by such denominations, as are most proper to the Temple and holy things. And therefore the Church in all former ages, and for the most part yet also beyond the Seas, even in the reformed parts of *Germany*, retaineth that interpretation of *Sanctuarium Dei*, as best agreeing with the intent of the *Hebrew*, which *Hierom* in the Preface to his Translation professeth confidently (by many witnessess) that he hath changed in nothing.

I alleadge all this, but to shew, that by what variety of words soever the Translators express the original *Hebrew*, yet they all concur with this as the Fountain and Standard; that *primâ intentione*, it aimeth at holy things, though in *secundâ* it be carried unto temporal.

Our selves also in our own English Translation, understand the *houses of God*, for places dedicated to the service of God. And therefore in the 9. verse of the 74. Psalm, where our Church Psalter saith *burnt up all the houses of God in the land*: the *Gen. va* and the Kings Edition report it, *burnt up all the Synagogues of God in the Land*. So likewise in the 1. verse of the 84. Psalm. *The dwellings of God* are expressly spoken of his *Tabernacles*, and holy Habitations, not of his *Temporal*.

Yet do I not deny, but (as I say) *secundâ intentione*, the words *Sanctuarium* or *houses of God*, in the 83. Psalm, are truly carried to all *Judaa*, and the people

people of God, howbeit *Hierome* noteth expressly nosuch matter upon it; neither could *Augustine* find it in the literal or historical sense of the text, and therefore he deduceth it to the people of God by way of *Tripologie*, using the metaphor of Saint *Paul*, 1 Cor. 3. *Sanctuarium*, (saith he,) *Templum Dei sanctum est, quod estis vos*. And *Lyra* accordingly, *Sanctuarium, id est, (saith he,) Hierusalem, in qua erat Templum Dei, & per consequens, terram Iudea, cuius metropolis erat Hierusalem*

Arnobius likewise of the Ancients taketh it first for the Temple and the holy vessels, then extensively for the people, and land of *Israel*. As for *Cyprian*, *Origen*, *Tertullian*, *Ambrose*, *Chrysostom*, *Gregory*, they meddle not with it, that I can find, nor *Hierome* otherwise then I have mentioned.

But admit that at this day most do expound it for the temporalities of the *Jewes*, as well as for their *Levitical* and sanctified things; What doth this contradict my application of this Psalme against Spoilers of Churches? or wherein is my error? I affirm the genus of one of the *membra diuidentia*, and they upon both. I upon one not exclusive, and they upon both copulative. Do not they then themselves affirm my assertion? Let *Schoolmen* be Judges. Yea, do they not iustifie and enforce it? For it God loveth the gates of *Sion*. more then all the dwellings of *Jacob* Psal. 87. 2. that is, the outward and petty things of his Church,

more then all the stately Temporalties of his *Lay* people, yea, if he loveth *Jacob* but for *Sion*, that is, the *People* but for the *Church*, then *ex necessario consequente*, when the *Prophet* denounceth such heavy things against them, that menaced God's *Lay* people, and their *possessions*, how much the rather doth he it against such, as with great fury and impiety afflict his more peculiar and chosen servants, his *Temple*, his *Oracle*, his holy *mysteries*, that is, things belonging to his honour and divine service; things and means, ordained to the propagation of his blessed word? For this is the consequence of destroying our Churches, this killeth the bird in the shell, and to a person offending in this nature, wrot I my book.

By like reason it may also be said, That this *Psalm* was framed against Heathens and Infidels, (which in open hostility assailed the Church and people of God with fire and sword) not against such as be our own brethren, and of the family of the Church, though (in some sort) they do injury unto it. I answer, that the *Ammonites*, and *Moa-bites* were also of the kindred of *Israel*: yea the *Edomites*, and *Ismaelites*, of the lineage of *Abraham*, as well as the *Israelites* themselves: yet when they joyned with them that sought the destruction of the Church, the curses of the *Prophet* went as freely and as fiercely against them, as the rest. So if our Church be spoiled by her brethren, her children,

children, or kindred, the sentence is all one against them, as against Heathens and Infidels, yea, and that also more justly and deservedly by the judgment of the *Prophet*, who accounteth the treachery of a *familiar friend* much more intolerable, then the violence of an *open enemy*. *Psal.* 55. 12.

But say I have erred, (which indeed is too common with mee, though it be *humanum* & doth the more easily befall me, having saluted the *School* of *Divinity* onely *à longè*, and *à limine*: I am therefore ready with *Augustine* to put it amongst my retractations, if there be cause why: yet, as he said of *Romulus*,

Sed tamen errorem quo tueatur habet.

For I am not the Author of this Exposition, neither is it my own weapon, but borrowed, and put into my hand by others of elder time. I confesse that as they which go to battel, *whet their swords* and *bend their bowes*, so I sharpned both the edge and the point of it to my purpose. For all *spirits* are not cast out by ordinary power, nor all *humours* perswaded by ordinary reason. Knowing, therefore what was necessary in particular for the party to whom I wrot, I applyed my self, and my pen to that particular necessity: yet, notwith *Zedekiah*, to seduce him by untruths, but as a faithful *Michaiah*^a to leave nothing untold, that belonged to his danger.

^a 1. Reg. 22. 27.

See then what I have to defend my self withall, both of Ancient and later *Fathers* and *Doctors* of the Church. The first application (as I take it) that ever was made of this *Psalm*, was (onely to the purpose I alleadge it) by *Lucius* a devout Bishop of *Rome*, in the bloody age of the Primitive Church, about 225 years after Christ; of whom (to let passe *Cyprian*) *Bale*, a man of our own, giveth this testimony,^a That he was a faithfull servant in the Lords house, — and enriched his Church with healthful doctrine, and afterwards being purified in the Lambs blood, he pierced the heavenly Paradise, being put to death at *Valentinian's* commandement, Anno 255. This *Lucius* (as I noted in the margin of my Book, pag. 39.) in an *Epistle* of his to the Bishops of *Gallia* & *Spain*, having determined many things touching the Church, & somewhat also against spoilers and defrauders thereof, (concluding them by the example of *Judas* to be thieves and sacrilegious persons) he proceedeth with them in this manner: *De talibus, id est, (saith he,) qui facultates Ecclesie rapiunt, fraudant, & auferunt; Dominus comminans omnibus per prophetam loquitur, dicens, Deus ne taceas tibi, ne sileas, &c.* Reciting the whole 83. *Psalm* every word, as you may see tom. 1. concil. of *Binus* edition. pag. 180. col. 2.

I took this reverend Father and great Doctor

^a *E. 1. l. 3. Epist. 1.* ^b *See h. 107. 60.*

of the Church, living in the purity of Religion. in the times of persecution, and so neer the ages of the Apostles, to be a faithfull direction to my pen, Yet, least he should seem like a *Sparrow alone on the house top*, I will shew you the opinion of others in the alter ages.

Petrus Damianus a Cardinal, whilst that title was rather a name of *Ministry* then of *Dignity*, and long beiore it became mounted and purpurate, a *star* of his time, now almost 600. years old, understandeth this *Psam* also of Church possessions, and dignities, and out of it doth vehemently confute the Chaplains of Duke *Gothifred*, which held it no Simony to buy Bishopricks, and Priestly places, so they paid nothing for the imposition of hands, (an opinion too common at this day,) and he applieth against them the interpretation of the names of the Heathen Princes there mentioned, and concludeth them there to be *hereditario quodam jure Sanctuarii possessores*, as you may see in his *Speculo M-r l 5 Ep. 13 ad Capellan. Gothif.*

Rupertus, who flourished about 500. years since, expoundeth it *contra omnes Ecclesia hostes, falsos Christianos, hereticos, &c.*

Great *Hugo Cardinalis*, the first *Pestillator* of the Bible, (who flourished *Anno* 1240, a little also before that Order was distinguished with the *Horse* and *Red Hat*, and a man to whom all the Preachers of Christendome are more beholden, then

then many of them are aware: for much of that good juice, that sweetneth the expositions they read, dropt from his pen, though now like rivers falling into other channels, it hath lost his name) in his worthy Comment upon the *Psalter*, applieth the words, *hereditate possidamus sanctuarium Dei*, against those that ambitiously leek Church livings and dignities, despising the curses of this *Psalm*, as well among the great men of the Clergy, as them of the Laity, which by threatning or favour obtain Ecclesiastical Promotions: and particularly against such men of the Church, as confer Prebends and Dignities upon their Nephews and kindred *butting* (as he saith) *Sion in [their] blood, and Jerusalem in iniquity* Neither spareth he the *Popes* themselves, but chargeeth them also that they possess *Gods sanctuarie* by way of inheritance, in that they keep the succession of the *Papacie* among such as be only of the *Roman nation*. And much more to this purpote, which were too long to recite: but (concluding that the Propbet hath levell'd at them all in this *Psalm*) he saith, *De omnibus istis sequitur, Deus meus pone eos ut rotam, &c*

Joannes vitalis (who lived above 300 years since, and for his fame and learning was also called to be a *Cardinal*, ere that this dignity was at the highest pitch) vehemently enforceth this *Psalm* against the great men that prey upon the Church, applying the interpretation of the names therein mentioned

mentioned very bitterly unto them. And said farther, that they possesse the *Sanctuarie of God by inheritance*, which enter into it unworthily, or in succession to their uncles, nephews, and parents, and they also which give Benefices in that manner, wasting thereby, as it were, Christs hereditary patrimony: with much more to this effect. *Speculo moral. tit. Principes seculares. fol. 229 d.*

Nicolaus de Lyra, who flourished about the same time, our own country-man, (though of Jewish parents) a star also in that age of the first magnitude, for his learning; and exquisite above all in the *Hebrew*; it being his mother tongue, and elaborate by him) whose judgment I rather esteeme, for that *Luther* loved him, and preferred him above all Interpreters, as *Luther* himselfe testifieth in the 2. and 9. chap. of *Genesi*. He (I say as before I have noted) expoundeth it, first, and properly for the *Temple* (under which I understand all things dedicated unto God, then for *Jerusalem*, because (saith he) *the Temple was there*: and lastly by consequence (for that is his own word) *for the land of Judaea whose chief City Jerusalem was*. So that he maketh the *Temple*, and things belonging to God, to be the main part whereat the Prophet aimeth, and the City and Country to follow but by inference and implication.

Come to the later Writers. *Gensbrard* noteth
upon

upon *Sanctuarium Dei*, that the Hebrew word is, *Habitacula*, and for the *psal* saith, *Generaliter de divinis omnibus templis, urbibus locis, & oppidis populi Dei*. So that if he had been questioned farther, how he understood *Habitacula*, *specialiter*, it is then like he would have answered, *de divinis omnibus templis tantum*, that is, *only of Churches*. But be it as it is, he setteth them in the first place, as the proper signification, and the rest in consequence, as *analogical*, according to *Augustine*, and our Country-man *Lyrans*.

As for *Luther*, he expoundeth not this *Psalm* himself, that I can find; but you see what he attributeth to *Lyrans* Judgment.

Pellican, a great *Hebrician*, translateth it *Possidamus nobis celestissima Dei*, and expoundeth it in like manner as before, *Templum, civitatem, vasa, populum Dei*.

Pomranus interpreteth it of them that did seek to make themselves Lords and heires of the Temple.

To conclude, because the newest things are most acceptable with many. The last man that hath written upon the *Psalter*, *Lorinus* a Jesuit, (and therefore I will not press his authority) yet to do him right, very well esteemed among great Clerks of our own Church for much good learning, (though in matters of controversie, full enough of Romish leaven,) reciteth somewhat more briefly the

the former interpretations of *Petrus Damianus*,
Hugo Cardinalis, and *John vitalis*, and approving
those their applications, and putteth them still on
into the world, as truly consonant to the tenor of
the Psalme, which notwithstanding I doubt not
hath also many other expositions, as herbs have
usually diverse vertues and operations. But thus
the eldest and newest expositors are wholly for
me, many also (and the best of them) of the mid-
dle ages, none that I know against me. For al-
though *Musculus*, *Bucer*, *Calvin*, *Marloret*, *Mol-
lus*, expound this Psalm historically of the coun-
trei and nation of the Jewes, yet when they apply
it to the Church of Christ, (as otherwise there
were no use of it) they make that application by
way of figure and analogy; and then is there no
cause to raise an *antithesis* or contrariety between
them and me. For to reconcile the matter, *Saint
Jerome* in his entrance into the exposition of this
Psalme, telleth us, that we may expound it figu-
ratively of the Church, (which I understand in
matters of action, government, doctrine,) or hi-
storically of the people of the Jewes, as a nation about
them. And though *Calvin* himself pursueth for
the most part the historicall interpretation, yet
when he cometh to the 12. verse, he saith, *Iterum
accusat profanos homines sacrilegiis, quod predatoriâ
licentiâ involant in ipsam Dei hereditatem.*

Thus much, and too much touching this point.

As

As it is said in the end of the *Macchabees* : *If I have done well, and as the story required, it is the thing that I desired but if I have spoken slenderly and barely, it is that I could.* Let no man therefore rely upon me, but learn of them that are bound to teach, for the *Priests* lips should preserve knowledge; and they should seek the *Law* at his mouth, for he is the messenger of the Lord of Hosts. *Mal. 2. 7.*

Other things there be, wherein I would willingly have enlarged my self a little : but as *Popilius* in *Livy*, describing a circle about *Antiochus*, enforce'd him to answer before he slept out of it ; So the Printer (having printed all to the last sheet, before I knew it) restrained me, *ad articulum temporis*, within which accordingly I must needs end.

FINIS.



